

EXTENSIONS OF REMARKS

THE ROLE SUBMARINES HAVE
PLAYED IN OUR NATION'S DE-
FENSE

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. GEJDENSON. Mr. Speaker, as the Congress debates the future of the appropriate structure of our Armed Forces, it is imperative that we recognize those capabilities which have proven to be cost-effective and directly contribute to ensuring our security interests. In response to an editorial, "The sky isn't falling," which appeared in the New London Day, Mr. A.T. Mollegen, Jr., chairman and president of Analysis & Technology, Inc. wrote a thoughtful and insightful letter to the editor on the role submarines have played in our Nation's defense. I encourage my colleagues to review the arguments Mr. Mollegen so cogently presents on why our nuclear submarine capabilities provide us with the most flexible deterrent of our weapons carrying systems.

To the Editor of the Day:

Your editorial "The sky isn't falling" (Saturday, May 26) raises the issue of how the Senators and Congressional Representatives of EB's employment area might help the area's economy. Your recommendation was that they help hurry up the defense budget decisions so that the economic uncertainty will be over with quickly. Your position is incredibly short-sighted.

While part of the budgeting delay may be due to sound-bite-grabbing aspects of the political process, there is also a very serious debate going on as to what our country's future defense and arms policies should be. As a generation who have benefitted substantially from the foresight of our predecessors, we should have higher goals than rushing through major decisions to prevent minor disruptions in the local economy. Many of our country's past leaders must be resting uneasily in their graves if thoughts such as yours are typical of today's citizens. Among those who would be distressed, I suspect, would be: the people who designed wiser peace treaties after WW II than after WW I, so that the mistakes of the past weren't repeated; the people who set up the Marshall Plan to help revitalize Europe; the people who set up and have maintained NATO (and installed a tactical nuclear deterrent that worked—it deterred), causing the longest European period without war in 400 years; and the people who set up the strategic nuclear deterrent, so that in the late 1950s the overt military spread of Communism was brought to a halt (to name only a few).

Perhaps a more far-sighted set of suggestions could be made to the Congressional delegation which represents the EB employment area. (I count the delegation as including at least six people: two Senators each from Connecticut and Rhode Island, plus one Representative from Eastern Connecticut and one from Western Rhode Island.)

This delegation could serve us and the country better if they were all to become highly vigilant watchdogs, to make sure that submarines are given appropriate consideration in the strategic planning debate that is going on now at the highest levels of our country and its allies. This is not just a matter of regional self-interest, it is a matter of creating a better future for the world.

In the last few years, submarine capabilities have been changing so rapidly that the proper role of submarines in the US defense line-up is no longer well-understood by many of our leaders. Because of the special importance of submarines to this region of the country, our delegation has a special role to play in making sure that the nation's new strategies reflect the new realities of the 1990s and beyond.

Some of these realities are as follows:

Because the US and many of our allies are so dependent on sea-surface trade, the US must maintain the strength to guarantee freedom of the seas almost anywhere. This fact is of course not new, but much of the debate still ignores it. Anyone who remembers the gasoline waiting lines of the 1970s should have a very good feel for how dependent our country is on trade, using ships for transportation.

The principal threat to US control of the seas, world-wide or in many local regions, comes from submarines. (The next most important threat is from mines.) The fundamental reason for the importance of submarines (and of antisubmarine warfare) is that submarines are far more cost-effective than other kinds of ships. Submarines are a very attractive way to build sea power for anyone who has budget constraints—and who doesn't? At the end of WW II, 45 years ago, six countries had submarines. Today, 43 countries have submarines. How many more countries will have submarines 45 years in the future, when the last ships of the new SEAWOLF class will be reaching the end of their life?

The highly attractive cost-effectiveness of the submarine derives principally from the fact that the submarine regularly goes into dangerous areas alone, carrying a crew on the order of 125 to 150. Other kinds of ships normally go in groups, with a combined crew of 6000-7000 when there is a carrier involved. While it is certainly true that there are some important jobs that can be done a lot better by a carrier task group than by a submarine, it is well to consider that some of the old decision rules may need updating. For instance, all the ordnance that a few years ago was dropped in the vicinity of Mr. Khadaffi's tent—by fighter-bombers dependent upon many in-air refuelings on the way to and from Great Britain, plus aircraft from a carrier positioned a safe distance offshore—could today be delivered by one attack submarine, using long-range cruise missiles. Mr. Khadaffi has perhaps been thinking that he can breathe more easily when the local carrier isn't within attack range of his tent; if so, he should update his thinking. Perhaps also the Medellin drug cartel should wonder if there is a US attack submarine off their shore, with cruise mis-

siles that could reach their strongholds. (US submarines thus can be seen to have potential roles in situations involving developing and/or Third World countries.)

The Congressional debate about submarines is not taking place at a very high level of sophistication. For instance, the purchase price of a new nuclear submarine is often compared disparagingly to that of oil-fired surface ships. However, the nuclear submarine comes pre-fueled, with about 15 years' worth of fuel. This fuel not only has a present economic value, but since the fuel is built-in you can be sure that the nuclear submarine will be able to go to work when you need it. In contrast, during the oil problems of the 1970s, some US Navy surface warships couldn't participate in readiness exercises because their fuel was rationed. Among surface forces, the term "hollow Navy" was heard at the time.

In much of the budget debate, the SEAWOLF class is being talked about as though they will be just another group of submarines—and gold-plated ones at that. Nothing could be further from the truth. The SEAWOLF is an important leap ahead. SEAWOLF's magazine capacity will be immense, in submarine terms. With cruise missiles, one SEAWOLF will be able to mount an attack with effects that compare to a bombing attack by all the fighter-bombers on a supercarrier. This attack can be against land targets within a few hundred miles of shore, as well as against ships. (Of course, the carrier can support repeated attacks, which one submarine cannot, but as can be seen by the examples cited above concerning Mr. Khadaffi and/or the Medellin drug cartel, not all scenarios require sustainability.)

Further, it is being argued by some that construction of the SEAWOLF class should be delayed because its combat system may not be ready. Even if the SEAWOLF class were to have to operate for a year or two with only a portion of the total capability of its new combat system (a matter being debated), it will still be the most formidable submarine at sea.

SEAWOLF's highly sensitive sonars, augmented by SEAWOLF's unique rapid localization capability, will make it the best type of ship for hunting down enemy submarines of all types: modern nuclear submarines built by the Soviet Union (and sold or leased to who knows whom in the future); modern non-nuclear submarines such as those being built today by private industry in several European countries and being sold to lots of countries; or modern non-nuclear submarines built by the Soviet Union or Red China, and being sold to people that you and I don't want them to be sold to. In the Falklands War, when British ships were destroyed by Argentinian-launched French-made cruise missiles, and in the Persian Gulf, when a US ship was put out of action by Iraqi-launched French-made cruise missiles, it was demonstrated beyond any doubt that one does not have to be a super-power country to make effective use of modern, high-tech weapons. Since the same principles will apply in the future, doesn't it make sense to place high emphasis on building

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the one kind of ship that even the best capabilities of the highest-tech nations can't counter?

Another misguided notion showing up in the debate is the idea that it might be smart for the US to start building diesel-powered submarines. It is true that a diesel-powered submarine can be a very formidable opponent when it is loitering on battery power. It is then, in a lot of respects, like a manned mine field. However, against modern sonar systems, a diesel submarine is extremely vulnerable when it must move to another location. Put differently, diesel submarines today can be useful close to home, but are much less useful for assignments in faraway locations. (Such was not the case in WW II, because in those days there were no long-range sonars.) Does it really make sense to switch US emphasis from ships of worldwide applicability to ones which have high value only near our coastlines?

Still another misguided notion has to do with the morality of nuclear weapons, and of nuclear submarines. Of the thousands of nuclear weapons that have been built, only two have ever been used to attack people. The effect was to end within about ten days what was already the world's most tragic war. For nearly 45 years thereafter, nuclear weapons have deterred war. For a weapon, what could be a greater success story?

The success story of the nuclear weapon is rivalled only by that of the nuclear submarine. In the 35 years since the launching of the first nuclear submarine, only one has fired a weapon in anger—when a British nuclear submarine fired a WW II-style torpedo and sank an Argentinian warship during the Falklands war. The rest of the world's nuclear submarines have effectively deterred large-scale war at sea, not to mention helping deter global thermonuclear war.

However, it is only with great care that the lessons of the past can be applied to the future. We cannot count on the future's being very much like the past. We must do our very best to recognize what may be different in the future, and then also resist becoming overconfident that we have predicted the future correctly. (The Maginot line mentality was also one of the contributors to WW II, because the Nazis understood better how things would really happen than did the French.)

An extremely important characteristic of any strategy is thus its robustness: how well will our strategy work, if future events are not what we have assumed? Clearly the most robust armament strategy is to build the least-counterable weapons and weapons platforms. This clearly indicates nuclear weapons (as well as conventional weapons) and the modern nuclear submarine.

Even then, the history of the last 70 years testifies that strength alone is not enough. In the years preceding WW II, Axis leaders did not doubt that the US could make a dangerous and perhaps overwhelming opponent. However, both Hitler and the Japanese leaders made the same mistake: they misjudged our will to fight. (The Argentinian generals made the same mistake about Margaret Thatcher.) These identical mistakes about national will were not only tragic for the decision-makers' own countries, but for others as well. To prevent people from again making this mistake about the US, with possibly much more tragic results, we must continue to demonstrate our will, as well as maintaining our strength. Maintaining our readiness through continuing modernization, as well as by maintaining adequate numbers of

forces, is the only means of doing so. These principles will be as valid in the multi-polar world in future decades as they have been in the basically bi-polar world of the last 45 years.

Our Congressional delegation thus would serve well the peoples of the world, in addition to those of their own areas, by keeping the defense debate focused on the right issues, and using the most current concepts of submarine warfare. Because of their special constituency, our delegation has a special calling to make sure that the debate is based on a proper understanding of the role of the submarine in the forthcoming multi-polar world, where our country will have potential regional conflicts to deter, as well as potential super-power conflicts. In the world of the next 50 years, the nuclear submarine will probably be the world's most necessary, most cost-effective, and perhaps even most broadly relied-upon deterrent. Its role as a deterrent to regional war and Third World conflicts is not widely understood and must be clearly explained.

SUMMARY

In these times of radical geopolitical change, with so much at stake, redesigning our nation's strategy is worth taking time over. If nothing were going on, then I would agree with The Day in wanting to shorten our region's period of uncertainty. But a great deal is at stake, so let's call upon our delegation to help keep the debaters well-informed about submarines. And let us ourselves keep the debating delays in perspective! The future deserves our patience, as well as our diligence and our foresight.

Sincerely,

A.T. MOLLEGEN, Jr.

A CONGRESSIONAL SALUTE TO JACK W. JOHNSTONE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to an outstanding community leader. On Wednesday, June 27, 1990, Jack W. Johnstone will be retiring as chapter manager of the Greater Long Beach Red Cross after 15 years of service. This occasion gives me the opportunity to express my gratitude and appreciation for his many years of service.

As the son of second generation Salvation Army officer parents, Jack grew up knowing the value of humanitarian service. After his graduation from high school and service in WWII, he went on to college at the University of Washington. During his third year in school, he entered the Salvation Army School for officers training in San Francisco. Subsequently, he spent his next 13 years as a Salvation Army officer serving in Arizona, Wyoming, Nevada, and California.

The service Jack provided to the Salvation Army was immeasurable. However, it was only the beginning of his lifelong career. He spent the next 8 years after his Salvation Army service as the United Way Executive in the Greater Long Beach area. During his service, he directed eight fundraising campaigns that exceeded previously set goals. Later, he was promoted to the United Way Corporate Office

in Los Angeles, where for 3 years he headed the agency relations and allocations department.

While the service Jack provided to the Salvation Army and the United Way are immeasurable and commendable, it is for his specific service to the Red Cross that he is being honored on June 27. After his service with the United Way, Jack became the Red Cross manager for the Greater Long Beach area, where he has spent the past 15 years. During his time with the Red Cross, significant strides have been made. During his early leadership, he established a program to clear the Greater Long Beach Red Cross of severe indebtedness. Not only was he successful, the chapter is now used as a model for other Red Cross chapters. Throughout his tenure, he has provided leadership and dedication that has moved the Greater Long Beach Chapter of the American Red Cross to the forefront of human service. After 15 years of service, Jack has decided to pass the torch.

On this worthy occasion, my wife Lee joins me in extending our thanks and our heartfelt congratulations. We wish Jack, his wife Joyce, and the rest of their family all the best in the years to come.

A TRIBUTE TO THE NATIONAL CONFERENCE OF PUERTO RICAN WOMEN

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to take this opportunity and recognize the wonderful National Conference of Puerto Rican Women's Miami chapter. On Saturday, July 7, the Miami chapter will be holding its annual picnic to celebrate the Women's History Month, and award scholarships to outstanding students in the local Puerto Rican community at Tropical Park.

Since its foundation in 1977, the Miami chapter of the National Conference of Puerto Rican Women has taken a leading role in the creation and development of educational scholarship programs for Puerto Rican and Hispanic women. These programs are designed to foster and encourage leadership among Hispanic women, by means of providing much-needed funds in the area of education.

The National Conference of Puerto Rican Women has held several fundraising activities during the year for the purpose of providing financial assistance to local high school graduates who want to continue their education. The recipients of these scholarships are selected based on their academic performance during high school, and upon an evidentiary showing of financial need. The academic criteria used for determining eligibility for these scholarships is an accumulative grade point average of 3.0 in a 4.0 scale. In addition, the student must show proof of extracurricular activities such as membership in school organizations whose agendas are directed toward involvement in the community by way of pro-

viding voluntary services in areas of local concerns.

Special recognition goes to the board of directors, founding presidents, past presidents, and present members of the National Conference of Puerto Rican Women, which include the following: Alicia S. Baro, founding president; Lydia Medrano Ph.D., executive board president; Ivette Vallejo, first vice president; Norah Venegas, second vice president and chairman of the activities committee; Alba Arevalo, recording secretary; Sonia Flores, corresponding secretary; Sylvia Girona, treasurer; Laura Rosas, vice treasurer; delegates to the national board; Alicia Baro, Esther Bou, Judy Freyre; alternate delegates; Francisca Arnal, Betzaida Ferrer, Irma Robert; past presidents; Lydia M. Sosa, Amparo Del Toro, Barbara Ibarra, Lola D. Grave, Emma Chaves, Ivette S. Morgan Ph.D., Alicia S. Bravo.

Mr. Speaker, I feel very privileged to have this opportunity to thank the members of the Miami chapter for their wonderful contributions to the betterment of our community in Miami. As a Florida certified teacher, I know the importance of education and the excellent job being done by the chapter in their efforts toward educational excellence.

A SPECIAL TRIBUTE FOR SID MEDLIN

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. KOLTER. Mr. Speaker, I rise today before the full U.S. House of Representatives to honor an esteemed gentleman, Sid Medlin, a resident of my Fourth Congressional District of Pennsylvania, whom I respect very much.

The youngest of 10 children, Sid was born on Ross Township and attended high school there. He moved to Big Beaver Borough in 1957 with his wife Edith.

Sid first entered political life as a borough councilman in 1963. His peers immediately saw his tireless devotion to Big Beaver Borough and elected him council president just 3 years later. As council leader, Sid developed many projects that will have an everlasting benefit to Big Beaver Borough. He served on the advisory board which supervised the expansion of the Pennsylvania Turnpike. Further, he worked hard and obtained grants to purchase 140 acres of land for Big Beaver Park. Today, many children are playing in the sunshine of a wonderful program that Sid initiated. Mr. Medlin also monitored the building of a convenient and modern shopping plaza in the heart of Big Beaver and brought the prosperous Holiday Inn franchise to Big Beaver. Also, in his administration, he expanded the community police force from three part-time employees to its present day total of three full-time and four part-time individuals. He also oversaw many paving projects to improve transportation. However, in 1978, perhaps his best accomplishment was construction of the new Big Beaver Borough Building. This project, which Sid oversaw, reaped many rewards for the entire area.

In 1986, Mr. Medlin was elected mayor of Big Beaver Borough. As in the private sector,

he distinguished himself in his community as a man who will help anyone at any time. He put aside all personal matters to volunteer his help for his fellow man following a deadly and destructive tornado that struck surrounding areas in Beaver County. He also joined with the U.S. Army Corps of Engineers to assist the cleanup effort. Further, he was a member of the recreation board to help with activities for Big Beaver Borough. He was also a volunteer fireman.

Sid will always be remembered as a man in public service who has always helped, placing his community above everything. He is deserving of this special recognition, and that is why I rise before the U.S. House of Representatives to honor him today.

CHILD CARE LEGISLATION

HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. STENHOLM. Mr. Speaker, having had an opportunity during the past 3 months to reflect on and study the debate which occurred during the House's consideration of child care legislation, and with this legislation still in conference between the House and Senate, there are several essential points which I would like to enter into the RECORD at this time.

Throughout this entire debate, three crucial words have surfaced repeatedly. Today, I would like to focus on those three words: availability, affordability, and quality.

AVAILABILITY

To begin with, I believe there has been serious questions raised about the veracity of any wholesale shortage in child care slots or situations. Indeed, a study of nationwide vacancy rates conducted by the National Child Care Association [NCCA] indicates that there are large vacancies, ranging between 14 and 30 percent. This is not to say that there are not pockets of need, specific needs in some areas for infant and toddler slots, and fluctuations due to local economic conditions. Universal and massive child care shortages, however, simply cannot be documented.

What is highly disturbing, however, is the fact that with the passage of H.R. 3—as amended with the text of H.R. 4381—availability could become a serious problem. There seems to be an implication that child care provided by government-sponsored institutions is preferable and far more worthy of Federal financial support than any other form of care. The result of a Federal bias toward one form of care could well mean the reduction of other avenues of care, and availability would be lessened.

For example, I believe that the provisions contained in title II of H.R. 3, the school-based title, are ill-advised. Under this language, care for 4- and even 3-year-olds would be virtually monopolized in the public schools. This could be devastating to the proprietary or for-profit centers—representing about 55 percent of all center-based care—and religiously sponsored programs—approximately 30 percent of center care. The devastation comes because these centers cannot economically

survive if 4-year-olds are subsidized into the public schools, which would be handed an enormous competitive advantage. For-profit centers would be particularly disadvantaged because they are entirely excluded from even competing for contracts with the schools.

Child psychologists and early childhood educators have voiced severe reservations about the premature establishment of a new Federal public school pre-school policy for 4- and 3-year-olds. Dr. David Elkind, past president of the National Association for the Education of Young Children [NAEYC] has warned about psychological stress and "mis-education" if 4-year-olds are cared for in formal public school structures.

Similarly, the National Association of State Boards of Education [NASBE] in its 1988 major report, "Right From the Start," stressed the importance of multiple sponsorships of pre-school care.

Finally, in the only study to date on State-initiated public school programs for 4-year-olds, the 1989 "Public School Early Childhood Study," Anne Mitchell of the Bank Street College and her colleagues found the programs in 1,200 school districts to be failing the needs of both children and parents.

I am not delivering here an indictment of the public school system. Far from it, since I was, in a previous life, a public school teacher. Rather, I am citing these authorities to raise the question of how appropriate it is for the Federal Government to embark upon a policy of moving large numbers of 4- and even 3-year-olds into a public school environment, under H.R. 3.

Currently we have a rich mosaic of creative arrangements involving relatives, friends, neighbors, churches, for-profit providers, and even libraries. In fact, in many places it is private providers, such as Teddy Bear Daycare under contract with the Alexandria, VA, public school system, which are leading the way in creative approaches to before and after school care. We do not need to create a public monopoly, with competition prohibited or severely restricted.

If availability of care truly is our concern, let us not create child care shortages by legislating proprietary and religious centers out of business.

AFFORDABILITY

One of the greatest shortcomings of the ABC grant approach, which remains in the Senate's bill and has residue in the House bill, is that the funds are spread over too many required programs, too broad an age and income spectrum, and inevitably, too great a bureaucracy required to administer these new programs.

Far preferable to ABC is the approach combining an increased earned income tax credit with a title XX social services block grant earmark for child care.

As the Urban Institute's Sandra Hofferth testified in 1989 before both House and Senate committees, poorer families tend to spend 25 percent and more of their family income on child care. Middle income families generally spend about 10 percent of their incomes. Refundable credits and certificates, or vouchers, would best reduce that large percentage of income required by the low and

modest income families. The EITC and title XX certificates will put money into these folk's pockets so that they can decide how best to care for their own children.

QUALITY

In particular, I would like to comment on child safety and health, and the preparedness of child care teachers.

Quality must be the No. 1 concern of every child care provider, but assuming we can guarantee quality through Federal mandates is either naive or intentionally misleading. The States, together with local professional and parent/consumer input, are best prepared to set standards in the commonly accepted categories affecting health, safety, and child development.

To act from "on high"—federally—even by model standards—which can so easily become mandates—runs the risk of pricing child care out of the reach of many families, as providers encounter greater costs just to meet possibly unnecessary Government regulation.

I have noted with pleasure the recent initiatives coming forth from the for-profit child care center owners. They have inaugurated two new national organizations: To help teachers, the American Association of Early Childhood Educators; and for parents, the Childcare Parents Association. I am particularly proud of the recent training of 2,000 teachers in Texas and Arizona.

If we are to finally achieve a child care bill which the President can sign into law, we must target our funding to those who are most needy, in an unbiased manner. We must leave to parents and the States their proper roles in decisionmaking. We must ensure that we truly care for our Nation's children in the best way possible.

THE LINKS, INC. 1990 NATIONAL ASSEMBLY

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. DELLUMS. Mr. Speaker, it is with great pleasure that I give recognition to the Links, Inc. on the occasion of their 1990 national assembly.

The Links, Inc., have been serving the African-American community, as well as African and Caribbean countries, for over 46 years. This service has included a commitment to educational, civic, and intercultural activities in the arts, services to youth, and national and international trends and services. Through these commitments the Links have helped to eliminate problems of African-American youth and their families, provided cultural enrichment across the Nation, addressed issues and concerns that impact our quality of life, and have rendered assistance to global friends in Africa and the Caribbean.

This July, the Links will meet in Washington, DC, for their national assembly. The purpose of this assembly is to set goals for the coming 2 years and recognize achievements made by local chapters. Yet, one of the most significant contributions made at the national assembly is

the awarding of over \$1 million to organizations committed to the advancement of African-Americans.

I am proud to pay tribute to such a distinguished service organization on their 1990 national assembly.

A TRIBUTE TO HON. JAMES E. MULLEN, MAYOR OF PENNSBURG, PA

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. SCHULZE. Mr. Speaker, it is with immense pleasure that I pay tribute to Mayor James E. Mullen of the Pennsburg Borough of Pennsylvania. Jim has devoted his life to serving his community—first as a history teacher, then as an elected official. And he has been honored by his community with numerous awards—the Upper Perkiomen Valley Chamber of Commerce award for Outstanding Service to Business and Industry; the Junior Chamber of Commerce Outstanding Citizen Award; the Four Chaplains' Award for Humanitarian Service; and the prestigious National Freedom Foundation of Valley Forge Schoolmens' Medal Award. Some might ask, "Why pay tribute to Mayor Mullen, the mayor of a Pennsylvania borough with a population of 2,300? His community has already recognized Jim's service. Why honor him on the floor of the U.S. House of Representatives?" Let me explain why.

In a community the size of Pennsburg, people don't turn to their newspapers, radios, or televisions to find out what their elected officials are up to. If they want to know what he or she has been doing, they knock on the door and ask. Or they stop to talk in the market, or the library, or the park. My esteemed colleagues—that is accountability. It is a responsibility that few can shoulder. Yet Jim Mullen has not only accepted that responsibility, he has carried out the duties of his office with an energy and vitality that has brought honor to both his position and his community.

I've had the privilege of working with Jim on many occasions. He asked for my help when Pennsburg's Post Office was threatened with closure. Jim said that the post office is one of the few universal services; it's used by rich and poor alike. He explained that it would be a hardship on his town because a small town is identified by its post office. I wrote a letter that opened the door, but it was Jim who walked through it and convinced the officials of the importance of the post office to his community, and to the local business that is concentrated around the post office. He explained that closing it would be a terrible inconvenience to businesses in his area. After Mayor Mullen presented the facts the decision was made to keep it open.

That wasn't the first time Jim was a friend to business. He believes that a community should find out the needs of business and satisfy those needs as best it can because a healthy business environment results in a healthy community. Jim believes that one of the functions of government is to provide an

environment conducive to successful business operations. Many at the Federal level could learn from James Mullen.

In 1973, Jim helped bring a police department to Pennsburg by joining with the people of East Greenville to create one force to serve both communities. This was a pioneer undertaking at the time, but it was so successful that these two communities were joined in 1980 by the community of Red Hill.

Jim did not stop with a police department. He knew the residents of Pennsburg desperately wanted a nursing home in their community, but there was a lot of competition for the few licenses issued by the health system agency. The citizens of his area had to drive 25 to 40 miles to visit friends and family needing nursing home care. Jim saw that many of the friends of the elderly patients were elderly themselves and could not drive the long distances to visit. This was a hardship on the patients, the friends, and the family members. Jim worked hard to solve this problem, and that hard work paid off for his community which, in 1982, obtained a 120-bed nursing home. Not only did this facility provide convenient nursing care for the people of his area, but it provided revenue and jobs.

I am delighted to pay tribute to Mayor Mullen today. His work and diligent service is a standard by which we can all measure our own dedication to the people whom we serve.

When asked of what he is most proud, Jim Mullen said it is the fact that the people of Pennsburg have had the confidence in him to put him back in office for six consecutive 4-year terms. After looking at this record, I'm sure you will applaud their wisdom.

I thank you for this opportunity to pay tribute to a man worthy of our respect. In paying tribute to Jim, I salute the finest men and women throughout this country who serve in the boroughs, villages, and hamlets—and the people who elect them.

PATIENT SELF-DETERMINATION

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. LEVIN of Michigan. Mr. Speaker, this week the Supreme Court ruled in the case of Nancy Cruzan, who has been in a persistent vegetative state for several years, kept alive by tubes implanted in her stomach. The Court wrestled with whether Ms. Cruzan would have wanted this kind of treatment to be continued, and whether the informal statements she'd made while conscious were sufficient proof of her wishes.

This is the first such case that the Supreme Court has ruled on, but it is clearly not the only recent instance where important and difficult issues have been raised about people's ability to choose the kinds of medical treatment they want.

In Cincinnati, a hospital was sued for not honoring the patient's wishes not to be resuscitated. A New York nursing home was held liable for \$100,000 worth of treatment to a woman whose family had decided on an alternative course of treatment. A doctor in Michi-

gan assisted in the suicide of an Oregon woman. There is great confusion about treatment decisions that has caused great harm and suffering, as well as poor judgment and unethical behavior.

Mr. Speaker, 47 States have passed legislation to try and avoid many of the cases like Nancy Cruzan's. These "living will" and "durable power of attorney" laws help patients retain the ability to decide about how they'd like to be treated if they should lose the ability to communicate. And yet very few people know about these opportunities to make their wishes known. Even doctors, according to recent surveys, are unaware of their own State laws. One possible result of this ignorance is that physicians may make treatment decisions based on unfounded fears of malpractice liability rather than on sound medical judgment and discussion with patients and families.

The Patient Self-Determination Act, H.R. 5067, which I've sponsored along with Representatives SWIFT, WAXMAN, MOODY, McDERMOTT, JOHNSON of Connecticut, and others, will educate both patients and health care professionals. It will lead to better communication among patients, their doctors, and their families. It will enable people to discuss their wishes, so that their medical decisions are not made by lawyers and judges who don't even know them.

The bill is very straightforward. Health care agencies would be required to provide information to patients or residents about the opportunities they have to create living wills or durable powers of attorney. The agencies would document whether or not the patient has an advance directive. And they would educate their staff and the community about advance directives.

Finally, it is important to recognize what this bill does not do. It does not create any new rights. It only says that people should know what rights they already have. The bill does not tell people what decisions to make. It empowers people to make their own decisions, in consultation with family and their physician. And the bill does not require anybody to execute advance directives.

It is ironic that many people lose the capacity to make health care decisions just at times when the most important decisions need to be made. We want to prevent some of the cumbersome and tragic situations that can arise from this lack of communication by empowering individuals and their doctors to collaborate in making good health care decisions.

NEZ PERCE NATIONAL HISTORICAL PARKS

HON. LARRY E. CRAIG

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. CRAIG. Mr. Speaker, today I have introduced a bill that reflects a bipartisan effort to amend the Nez Perce National Historical Parks authorizing legislation, Public Law 89-19. This bill will allow the addition of several sites of national and historical significance to this unique element of the Park System.

The National Park Service undertook a major review of the Nez Perce National Park System in 1988. The study was in response to concerns from citizens in northeastern Oregon, the Umatilla Tribe of Oregon, and the Nez Perce Tribe of Idaho to protect the grave site of old Chief Joseph located near the banks of Wallowa Lake, and the need to recognize within the Park System sites that are central to the history of the Nez Perce Tribe.

The authorizing language for the existing park system calls for sites to be recognized in the State of Idaho. My legislation amends the law to authorize the addition of 13 sites to the Nez Perce National Historic Park, five of these sites are located in my home State of Idaho. The other sites are in the States of Oregon, Washington, and Montana. The authorization also recognizes the Nez Perce involvement in Wyoming and Oklahoma, although no specific sites in these States are named.

The inclusion of these sites is justified for a couple of reasons. First, the Nez Perce people occupied a traditional homeland, which exceeded 27,000 square miles. Second, the battles of the Nez Perce war trace a path from the banks of the Snake River dividing Oregon and Idaho, through Idaho to Wyoming and Montana, up to the Canadian border in Montana. This legislation will allow recognition of the sites where this history was made.

The sites which the National Park Service has recommended to be included in the Nez Perce National Historical Park are such places as, old Joseph's grave on Wallowa Lake, OR; young Chief Joseph's grave in Nespelem, WA; the Bear Paw Battlefield in Montana; Camas Meadows Battle sites in Idaho and other sites of great importance to the protection and interpretation of Nez Perce history and culture. While the National Park Service did not examine sites in Oklahoma, this bill lists the State of Oklahoma as eligible for sites to be considered under this Park System due to the fact that Chief Joseph and his band were imprisoned in Oklahoma for a length of time at the conclusion of the Nez Perce war.

Mr. Speaker, as a native of the State of Idaho, I learned the story of the Nez Perce war and of the bravery and leadership of Chief Joseph. He was one of this Nation's finest statesmen, an eloquent leader who wanted nothing other than to protect his people from harm. The Nez Perce war of 1877 was the last official conflict between the United States and an Indian tribe. It marked the turning of an era and set the stage for modern day relationships between the United States and the Nez Perce Tribe. The statesmanship of Chief Joseph won him international praise and support for his requests to be returned from Oklahoma to his home in the Northwest after the war.

I am pleased to offer this bill to commemorate the sites of this important part of western history.

This bill will allow the National Park Service to maintain, protect and interpret some of the most important battlefields, campsites, and other significant areas in our Nation's history. I urge my colleagues to assist us in passing this legislation.

INTRODUCTION OF A BILL TO ESTABLISH THE CURECANTI NATIONAL RECREATION AREA

HON. BEN NIGHTHORSE CAMPBELL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. CAMPBELL of Colorado. Mr. Speaker, 1990 is the 25th year since the Curecanti National Recreation Area [NRA] was first recognized through an agreement between the National Park Service and the Bureau of Reclamation.

This 40,000-acre recreation area served over 1 million visitors last year, making it one of the most popular attractions in Colorado.

Although the area has been operating under a cooperative agreement, approved by the Secretary of the Interior, Congress has never formally recognized it, making it difficult for the Park Service to secure adequate funding. Today, I am introducing a bill to accomplish this unfinished goal.

This proposal legislatively establishes the boundaries of the NRA on existing Federal lands, and legislatively acknowledges the recreational purpose for which the land has been set aside. The bill accomplishes the goal in accordance with section 1 of the park, Parkway, and Recreation Area Study Act of June 23, 1936, and section 8 of the Upper Colorado River Storage Project Act [CRSP] of April 11, 1956. I believe it will also gain administrative support because the Park Service and the Bureau agree this legislation is necessary.

The bill grandfathers in such existing uses as grazing, hunting, fishign, off road vehicle use, snowmobiling and other uses which do not interfere with the primary purpose of the CRSP Act, which was water storage and power generation.

This 25th anniversary celebration also provides an opportunity to reflect on the accomplishments of the man who wrote the CRSP Act—former Interior Committee Chairman Wayne Aspinall.

Aspinall helped shape the natural resource policies of the West and is directly responsible for ensuring projects like the Glen Canyon Dam, Navajo, Flamming Gorge, and the Aspinall unit of CRSP that bears his name, would be built to make it possible to store water for municipal use, industrial use and for irrigation in a semiarid region.

I believe formally recognizing the Curecanti National Recreational Area will make millions more Americans aware of the excellent natural and cultural resources available on Colorado's western slope. It doesn't matter how you choose to recreate, if it can be done in public, and outdoors, you'll be able to do it at Curecanti.

SUPPORT FOR H.R. 770

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Ms. SCHNEIDER. Mr. Speaker, I rise in strong support of H.R. 770, the Family and Medical Leave Act. The administration says no to a national leave policy because it thinks that Congress should not mandate employee benefits. This position misses the point of this bill. The Family and Medical Leave Act sets a minimum standard of conduct, just as do child labor laws which protect our children, and the Fair Labor Standards Act, which mandates payment of a minimum wage to workers.

Lack of a minimum leave standard, like lack of minimum standards regulating the employment of children, is not only ethically questionable; it is extraordinarily costly. Lack of medical leave alone costs taxpayers \$4.3 billion a year. This far exceeds the projected \$183 million in total annual costs to employers for enacting the Family and Medical Leave Act. In fact, the cost of this bill to business is only \$5.50 per covered employee.

Furthermore, small businesses are not affected by the legislation. With the employer exemption set at under 50 employees, over 90 percent of small business employers are exempt from the legislation.

It is imperative that jobs be secure in times of personal crisis or emergency. This bill does just that while at the same time providing covered businesses with a low cost policy that makes economic sense.

LET PHONE COMPANIES PROVIDE INFORMATION SERVICES

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. HASTERT. Mr. Speaker, the 101st Congress has been an active one for reconsideration of the divestiture agreement resulting from the 1984 break-up of AT&T. The Senate Commerce Committee, in May, approved a bill to eliminate the restriction on the Bell companies' ability to manufacture customer premises equipment and manufacture and provide telecommunications equipment. On the House side, the Telecommunications Subcommittee is scheduled to consider legislation later this summer which will go to the heart of modifying the three restrictions on the seven Bell companies—manufacturing, long distance, and providing information services.

With regard to information services, in a recent op ed piece in the June 25, 1990 Chicago Tribune, Stanford L. Levin, chairman of the economics department at SIU and a former member of the Illinois Commerce Commission (1984-86), accurately described the present state of information services—an industry in its infancy. Without the ability of the local Bell companies to provide these services, from electronic yellow pages to health monitoring and sports scores and stock market results, this industry will never reach its full potential.

At this time, Mr. Speaker, I would like to insert Mr. Levin's op ed piece in the RECORD: [From the Chicago Tribune, June 25, 1990] LET PHONE COMPANIES PROVIDE INFORMATION SERVICES

(By Stanford L. Levin)

The former Bell system telephone companies may finally get a chance to provide information services to their customers, thanks to a recent decision by the U.S. Court of Appeals for the District of Columbia. The court said the standard for determining if these companies can go into information services is whether their entry into the field would be "within the reaches of the public interest." That standard, still subject to Supreme Court review in the case, would replace a more stringent one involving degree of competition and the exercise of monopoly power.

The provision of information services by local telephone companies does fall within a contemporary definition of the public interest in telecommunications. And the opposition of competitors to a phone company role may be misguided.

The original definition of the public interest dates to the Communications Act of 1934 and has become known as universal service. Today, however, the universal service standard is inadequate, for two reasons. First, over 96 percent of U.S. households have telephones or access to them, and programs are targeted to low-income and rural areas with low telephone penetration rates.

Second, and perhaps more fundamental, while a rose may be a rose, a telephone is not necessarily a telephone. Rapid changes in the technology of telecommunications and new uses of the telecommunications network mean that just having a phone connected to a telephone network is no longer sufficient. For example, a phone and a simple terminal could bring all Americans easy access to electronic yellow pages and rich data bases offering government, educational, medical and cultural information.

Unlike in 1934, when the potential of the telephone industry consisted of linking all Americans via a single, publicly accessible communications system, the potential of today's industry is vastly greater. This potential must be incorporated into a new view of the public interest in telecommunications. It requires that the people of the U.S. receive both universal service and access to information services provided over the public network.

The prohibition on the former Bell system companies from entering into information services has likely prevented these services from being broadly available to the public. Although customers with personal computers can subscribe to information services, access to the services is unnecessarily limited and costly. It may be restricted to people with special equipment or to those who can use special, private networks. The result is a two-tiered services industry, with information "haves" and "have-nots."

Local phone companies are in a good position to provide information services easily accessible to everyone connected to the public network. They can furnish their own or others' services in a uniform, easily used format. Without this ability, which competitors like Prodigy exploit, it is not surprising that information service gateways now provided by local phone companies meet with only limited success.

Moreover, objections of information service competitors to local phone company entry could be based on a misconception.

Other information services markets may have failed to grow rapidly because accessing these services is needlessly difficult and because the services are not attractive enough to customers. Independent providers have not yet overcome these limitations, but the local phone companies may be able to.

In the past, an anchor department store in a shopping center often would want to be the only large store, believing that limiting direct competition would be best for it. Eventually these stores discovered that the more anchor stores in a shopping center, the better all of them do. Letting local telephone companies provide information services may finally allow the services to reach their potential and may benefit the telephone companies, other information service providers and customers.

THE 50TH ANNUAL JULY 4 FESTIVAL OF FREEDOM

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Ms. OAKAR. Mr. Speaker, I am pleased today to call attention to the upcoming 50th annual Fourth of July celebration in my hometown of Cleveland, OH. The origin of what is now known as the Festival of Freedom, can be traced to the year 1938 when 260,000 persons, 80,000 of whom packed Cleveland Municipal Stadium, gathered for a "Festival of Beauty and Fire," culminating in a \$4,000 fireworks display, " * * * the greatest ever seen in Cleveland," according to the Plain Dealer.

The festivals continued through the years of the Second World War, helping to stimulate Cleveland's "Win the War" spirit. Through the 1940's, the Festival of Freedom became a Cleveland tradition, growing into what the Plain Dealer called the largest mass observance of Independence Day in the Nation.

Larger fireworks shows and music accompaniment have helped attract record crowds in recent years—375,000 in 1988—including 2,500 boats which anchor in Lake Erie off Edgewater Park. This year, a 30-minute fireworks show costing approximately \$60,000 will entertain the hundreds of thousands of festival goers.

The festival has proven to be an enduring celebration. Neither world wars nor major construction could force the cancellation of the pageant. In fact, the festival has been forced to cancel only twice in its history, both times due to heavy rains. The festival has always been meaningful to my family. My dad was born on the fourth of July and was part of our family's celebration for my father's birthday and our Nation's birthday.

Mr. Speaker, I am pleased to note that after half a century, the Festival of Freedom is still totally underwritten by Greater Cleveland businesses, organizations, and individuals—a ringing testimonial to the pride of my community. A volunteer group of Cleveland business people, the Cleveland Independence Day Association, remains as the event's sponsor; the State of Ohio and the city of Cleveland are cosponsors.

This year's festival promises to be bigger and better than any of the preceding events. It

is truly family fun in the best tradition of America and I look forward to taking part in my hometown's celebration of my country's independence.

SUPPORT FOR H.R. 4808

HON. NICHOLAS MAVROULES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. MAVROULES. Mr. Speaker, I would like to take this opportunity to commend the House Subcommittee on Energy and Power, and Chairman PHIL SHARP for their work on H.R. 4808, the Solar, Wind, and Geothermal Power Production Incentives Act of 1990.

This bill, which would remove the size limitations on renewable energy projects qualified under PURPA's rules, is a step in the right direction toward allowing these technologies to develop to their full potential. At the present time, these facilities are forced to scale back their operations to comply with regulations limiting their output to 80 megawatts, even though it would be more cost-effective to have higher outputs at a specific facility. By allowing these plants to operate at a capacity determined by engineering and the marketplace, solar, geothermal, and wind power facilities will be able to take full advantage of the economies of scale, thereby enabling them to reduce their cost per kilowatt hour and become competitive with other sources of power.

As reported by the subcommittee, H.R. 4808 also provides a level playing field for renewable sources of electric power compared with cogeneration facilities, which currently have no cap on their output. This will enable renewable power generators to cut out the cost of duplication of facilities due only to the necessity of complying with this artificial cap. For example, according to the statement of Charles T. Condy, chairman and chief executive officer of California Energy Co., Inc., a geothermal power producer, at the June 15, 1990 hearing the company's COSCO generators are artificially "throttled back." If the 80-megawatt limit were repealed, they could simply "turn a few valves" and increase output by 25 percent, with almost no additional cost. This would significantly lower their cost per unit of power.

Once plant facilities are in place, increasing energy output does not take significantly more personnel. Nor are the costs of paperwork, legal advice, or other attendant costs greatly increased by adding more output. Removing the cap will also eliminate the need for many small separate facilities, which are located a mile or two apart only to comply with PURPA regulations, but which can be consolidated after the lifting of the cap, with the realization of much savings in duplicated facilities.

Along with encouraging additional energy sources at lower per unit cost, the use of solar, geothermal and wind energy has other advantages. These renewable energy facilities operate at higher capacity factors than similar fossil fuel and nuclear plants. For example, California Energy Co., geothermal facilities have operated at a capacity factor—percent

of time online out of total time—of 92 percent, versus 80 percent for oil and gas facilities, 75 percent for coal and 60 percent for nuclear plants. This points to high reliability in these facilities.

In addition to high reliability, solar, geothermal, and wind energy facilities are relatively nonpolluting or lesser polluting than comparable fossil fuel plants. With the new clean air regulations, utilities can augment their conventional power sources with newer technologies which do not cause air pollution. Since these energy sources require no combustion, the amount of air pollution resulting from their use is much lower than conventional facilities. Solar and wind energy produce no hydrocarbons, sulfur dioxides, nitrogen oxides, or toxics to generate power; geothermal power, based on natural underground steam, produces significantly less sulfur and nitrogen oxides than oil, gas, or coal-powered plants. It also emits little or no carbon dioxide into the atmosphere, thereby not contributing to global warming.

While removing the artificial cap on output, I am pleased to see that this legislation retains the mandatory purchase and interconnection provisions of PURPA, thereby providing a market for these facilities, while allowing them to take advantage of existing power grid structures.

THE FARM BILL IS COMING, THE FARM BILL IS COMING

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. PORTER. Mr. Speaker, I rise today to warn my fellow colleagues to watch out, the 1990 farm bill is coming.

Watch out, food processors—beware, consumers—stay alert, emerging democracies—know the details, Caribbean Basin—and my warning for our international trade negotiators at the GATT is be ready to hide your head, because what is coming down the track directly contradicts the free and fair trade dictum we are trying to enforce abroad.

Mr. Speaker, I implore the membership to pay attention to this farm bill. We have decided tough issues before, and I know we still can, when challenged, do the fiscally responsible thing. We shouldn't protect one sector of our economy at the expense of another but that is what our farm programs mostly do.

So, let's get ready for the farm bill, and ready for necessary, fiscally responsible amendments to get our farm programs—to-bacco, peanuts and sugar—under control.

CIVITAN CLUBS: A LEGACY OF SERVICE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, there are many fine service clubs across this great Nation of ours that have contributed greatly to

their respective communities. I would like to recognize the efforts of one such organization in Miami, the Civitan Center Civitan Club.

This outstanding organization was founded in 1917 by a group of Birmingham, AL, business and professional men who gathered weekly to discuss community improvement projects.

In fact, the effectiveness of the Birmingham Civitan Club soon spread so that it became a pattern for an international organization of Civitan clubs. Therefore, in 1920, Dr. Courtney W. Shropshire, a prominent physician, established the international organization, Civitan International.

Civitan, through their clubs, seek out community needs and work to fulfill them. Civitan clubs mainly deal with projects such as special olympics, playground and park construction, and funding for the purchase of school-buses, firetrucks and ambulances.

The ethical principles on which Civitan clubs are based have spread throughout many regions. Currently the Tropical District Civic Center Civitan Club in Miami, FL, is being organized. Members come from various different backgrounds and professions. Thanks to the hard work of Dr. Harold Lannom, retired doctor of education; Mildred Baggett, retired schoolteacher; and Helen Glogger, retiree, the Tropical District Civitan Club has 15 members, which include Ms. Baggett and Ms. Glogger, as well as the following individuals: Dr. John Thomas Coursey, Marion Baker, Diana Petitto, Roxanne Singler, Tim Murphy, June Parker, Dr. Paul Benke, John Scheidt, Edward C. Pombier, John Lesley, Freddie Woodson, John Williams, and Lisa Lannom. This group met on June 28 at the Holiday Inn in the Miami Civic Center and will be meeting every Thursday from 1 to 2 p.m.

It is through the actions of concerned individuals that human needs, not met by other groups, are fulfilled. Today, I am proud to recognize Civitan clubs around the Nation and thank them for providing hope for a better community and world.

QUEENS COUNCIL, BOY SCOUTS OF AMERICA, HONORS JERRY LASURDO

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. ACKERMAN. Mr. Speaker, I would like to take this opportunity to recognize the significant and special work conducted by the Queens Council, Boy Scouts of America. The Boy Scouts of America's mission is to foster and refine our children's values. In Queens, there are over 20,000 Cub Scouts, Boy Scouts, and Explorers who partake in such activities as collecting food for the needy. This summer over 500 disadvantaged children will have the opportunity to go to Scout camp due to the efforts of the Queens Council.

On June 28, 1990, the Queens Council will honor Jerry Lasurdo for his support of Scouting and many other civic and charitable organizations. Lasurdo recently retired as chairman of the Green Point Savings Bank of

Flushing, Queens County, NY, after over 50 years of service. Under his guidance, Green Point became an important participant in the banking industry. Jerry Lasurdo is a gentleman who has managed, through the years, to find the time in his busy schedule to devote energy to various charitable causes and endeavors. In recognition of his humanitarian efforts, Jerry Lasurdo has received many honors including the "Good Scout" award given by the Greater New York Councils, Boy Scouts of America. Lasurdo also serves on the boards of numerous organizations, including the American Cancer Society, New York City division, the Booth Memorial Medical Center, and the Brooklyn Arts and Cultural Association. In addition, over the years, Lasurdo has been actively involved with the Greenpoint YMCA and Flushing YMCA.

Mr. Speaker, I call upon all my colleagues in the U.S. House of Representatives to join me in paying tribute to Jerry Lasurdo and the Queens Council, Boy Scouts of America.

A CONGRESSIONAL SALUTE TO BILL MacALPIN

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to an outstanding community servant who has devoted his last year to the presidency of the North Redondo Beach Rotary. On Saturday, June 30, Bill MacAlpin will be honored as president of this organization after 1 year of tireless service. This occasion gives me the opportunity to express my sincere appreciation for his commitment and efforts.

During Bill's tenure the Redondo Beach Rotary was extremely successful in raising money. More than \$20,000 raised during his tenure was distributed among the community's less fortunate. Among the Rotary's additional accomplishments under Bill's leadership were the entry of a Miss Teen Age California Pageant; student trips to Sacramento and Washington, DC; a safe school program; the Redondo Beach Police Chaplains Corps; the Redondo Beach DARE Program; and the Redondo Beach Red Ribbon Day for the Prevention of Drug Abuse. Moreover, he oversaw the addition of 10 new members and had a combined membership totaling over 40 active members. From the aforementioned accomplishments, it is no wonder why he will be so missed.

The positive impact that Bill MacAlpin has had on the North Redondo Beach Rotary and our community, is unmatched. He is a tireless servant to his fellow man who expects no recognition in return. However, Mr. Speaker, I submit to my colleagues today, this most deserving congressional salute in his honor. My wife, Lee, joins me in extending our heartfelt thanks and congratulations. We wish Bill and his children, Geri, John, William, all the best in the years to come.

INTRODUCTION OF A BILL TO AMEND THE FEDERAL POWER ACT, ENSURING STATE CON- TROL OVER STREAMFLOW DE- CISIONS

HON. LARRY E. CRAIG

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. CRAIG. Mr. Speaker, I rise today to join my colleagues from Idaho, both in the House and Senate, in introducing a bill very important to our State of Idaho and the other 49 States of the Union. It would ensure that State governments—not the Federal Government—are the principal authority over streamflow decisions.

The U.S. Supreme Court's decision in California versus Federal Energy Regulatory Commission, also known as the Rock Creek decision, threatens a century-old standard of State water control. The ability of a State to make the principal and critical water allocation and appropriation decisions has been at the heart of Idaho law since we were admitted to the Union. That principle is in jeopardy as a result of the Supreme Court's recent ruling.

It's our belief that rulings like the Rock Creek decision are based upon an incorrect interpretation of the Federal Power Act. Our legislation will clarify that act to ensure that States have no diminished decisionmaking authority when it comes to water allocation decisions.

Specifically, the legislation would amend sections 9 and 27 of the Federal Power Act to clarify that an applicant for a license must comply with a procedural and substantive requirements of State law in acquiring water rights and in the administration of the use of water.

Mr. Speaker, as you will recall, I introduced H.R. 4921 on May 24, 1990, to address the Court's decision by amending section 27 of the Federal Power Act. Today's legislation is entirely consistent with the approach in that bill and serves to further clarify State primacy in this area of water law. With several cosponsors to H.R. 4921 already, I am confident we will find similar support for this new legislation.

Finally, I am happy to acknowledge the hard work of Idaho State water and legal officials and others around the country who helped draft this legislation, and look forward to their continued cooperation.

I urge my colleagues in both the House and Senate to join our delegation by cosponsoring this important legislation.

DEATH OF HOYT B. HILL, JR.

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. MONTGOMERY. Mr. Speaker, I regret to inform the House of the death of Hoyt B. Hill, Jr., the former longtime director of the South Carolina Department of Veterans Affairs. Mr. Hill played a major role in getting the 220-bed veterans nursing home established in Anderson, SC. The nursing home will be com-

pleted sometime in August and will begin receiving patients in early October. Efforts are already underway to name the main courtyard off the recreation hall in Mr. Hill's memory.

Mr. Hill was born in Lake City, SC, June 27, 1920, and graduated from Clemson University in 1941. He served during World War II with the 126th Infantry, 32d Infantry Division, in New Guinea in the Buna Campaign. He was awarded the Combat Infantryman's Badge and the Bronze Star for his World War II service.

After World War II, Mr. Hill became employed with the South Carolina Department of Veterans Affairs. He was appointed assistant director in 1951 and was appointed director following the retirement of R. Stedman Sloan, Sr., in 1961.

On June 30, 1988, Mr. Hill retired after 44 years of outstanding service to South Carolina veterans and their dependents. Because of his vast contributions to the betterment of life for so many, Mr. Hill received many awards—including the Order of the Palmetto, the highest presentation the State of South Carolina can give—which was presented by Gov. John C. West in November 1974.

Mr. Hill served as president of the National Association of State Directors of Veterans Affairs for the year 1985.

Mr. Hill is survived by his wife, Mrs. Floride Nelson Hill.

Veterans throughout the State of South Carolina and our Nation will miss the dedication of this great man.

IN MEMORY OF A HERO

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. GALLEGLY. Mr. Speaker, earlier this week I rose to inform my colleagues about a brave young sailor from my hometown of Simi Valley who was fighting for his life after last week's tragic explosions aboard the U.S.S. *Midway*. Today, sadly, I must tell you he has died.

Fireman Shane Kilgore was just 22 years old and 2 years into his Navy enlistment. More than anything, he wanted to be a firefighter, and he joined the Navy to serve his country, and to obtain the experience he needed to fulfill his goal when he returned to civilian life.

Naturally, Shane knew firefighting is dangerous work. I'm sure that my colleagues will agree that all too often we forget just how dangerous it is. Like most Americans, sometimes we take for granted the bravery and dedication our firefighters demonstrate every day. Although they usually won't admit it, they are heroes. Shane Kilgore was a hero, too.

It's not anyone who could open a smoke-shrouded hatch aboard an aircraft carrier at sea, not knowing what lay beyond. Yet Shane and his colleagues didn't hesitate. They knew that the lives of their crewmen potentially were at stake. And so they opened the hatch, and Shane and several of his comrades paid the price. Tragically, several others may still lose their lives as well.

Yet other firefighters quickly secured the situation and averted what could have been a major disaster. And that's what Shane would have expected. The sea is unforgiving and exacting in her ways, and every sailor knows that sometimes the few must fall so that the many may live. Shane, you and your comrades didn't die in vain.

Mr. Speaker, I speak for all my colleagues in expressing my deepest sympathies to Shane's family. Be assured his sacrifice won't be forgotten.

SAN JUAN BASIN TECHNICAL CORRECTION

HON. STEVEN SCHIFF

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. SCHIFF. Mr. Speaker, today I, along with Congressman JOE SKEEN and Congressman BILL RICHARDSON, am introducing a bill to make a technical correction in a land description contained in the San Juan Basin Wilderness Protection Act of 1984. A section of the statute authorizes the Secretary of the Interior to convey to Sumner Lake Corp. certain land situated in Lake Sumner State Park, NM. For this land transfer to take place, the description should refer to section 33 instead of section 34. The original bill inadvertently used the wrong section number and this was only recently discovered. The Department of the Interior has determined that this correction cannot be effected administratively, but requires congressional action.

INTRODUCTION OF MOUNT. SOPRIS TREE NURSERY LAND EXCHANGE

HON. BEN NIGHTHORSE CAMPBELL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. CAMPBELL of Colorado. Mr. Speaker, today I am introducing legislation to allow Pitkin and Eagle Counties to acquire an 186 tree nursery in the White River National Forest in exchange for roughly 1,344 acres of patented mining claims which are owned by the counties.

The tree farm has been targeted for exchange, transfer or sale by the General Services Administration [GSA]. The counties intend to use the tree farm to develop recreational facilities, for open space, and to build a senior center. This exchange also protects the property from future private development because it contains a clause which directs that all the proceeds from any sale or lease would go to the United States.

As you know, the ski areas of Vail, Beaver Creek, and Aspen are world renowned. This recognition has not been without cost. A tremendous amount of stress has been placed on local facilities and property values are sky high. The county needs land to fulfill responsibilities that local governments have, but are often overlooked by the public.

The bill also sets up an orderly process to address any claims which may arise when the United States is granted title to the patented mining claims. This is necessary to prevent any further forest management problems which could arise.

The Forest Service and the counties have been attempting to complete this exchange administratively for many years. Unfortunately, the cost of clearing the title on every acre of property makes this infeasible in light of the stressed Forest Service and county budgets. This exchange will serve a valuable public purpose—and save the Government money.

MEDICAL INSURANCE SAFETY NET MISSING FOR MILLIONS OF CITIZENS

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. GEJDENSON. Mr. Speaker, I am sure that my colleagues are well aware of the vast number of individuals—the poor, the unemployed, the working uninsured, and in fact, the many children—who are without health insurance coverage. Currently, an estimated 32 to 37 million individuals live on a day-to-day basis without a medical safety net. They cannot afford visits to the family doctor, have no access to preventive care, no means to obtain prenatal care, and no protection in case of a medical emergency. Several worthy proposals have already been introduced by Members of this body which seek to address the problems of the uninsured.

Mr. Speaker, legislators and other individuals in the State of Connecticut have also grappled with this difficult issue. On May 17, 1990, Gov. William O'Neill approved a far-reaching plan to make health insurance cheaper and more accessible to the uninsured. As many as 37 disparate groups of individuals were involved in the drafting of this legislation, ranging from citizen-action groups to insurance industry representatives.

The new law will extend health coverage to an additional 60,000 Connecticut representatives, at a cost of \$2 million. This is a significant step toward a resolution of the health access crisis on a State level. I would first like to commend my colleagues in Connecticut for all of their efforts in this area. As well, I would encourage legislators from other States and at Federal level to give this legislation close consideration:

AN ACT CONCERNING THE RECOMMENDATIONS OF THE BLUE RIBBON COMMISSION ON STATE HEALTH INSURANCE

Summary: This bill expands access to and increases the availability of health care services and insurance coverage to people currently without health insurance or with inadequate coverage. It allows expansion of Medicaid, within available appropriations, to serve more children, pregnant women, elderly, and disabled people. It also requires granting presumptive eligibility to pregnant women applying for Medicaid. The bill expands a current Medicaid waiver program assisting disabled children and adults. It also allows for a Medicaid "buy-out," within available funds, to encourage Medicaid-eligible

people to accept employment-based health coverage.

The bill allows the Department of Health Services [DOHS], based on available funding, to contract with insurers to develop both subsidized nongroup health insurance for children and pregnant women, and insurance for people with disabilities.

DOHS can establish, again based on available funding, a grant program to expand access to primary care services.

The bill requires creation of "special health care plans" offered by health insurers and health care centers—HMO's—for a limited time to small employers who are not currently offering their employees any coverage. It is also available to individuals. Special health care plans must be available to certain low-income individuals through the existing Health Reinsurance Association [ERA].

The bill includes a number of small group market reforms designed to increase affordability and accessibility of insurance through creation of a reinsurance pool, limits on premiums that can be charged, limits on use of pre-existing condition clauses, disclosure of specified rating practices, and other measures.

Under the bill, the Commission on Hospitals and Health Care [CHHC] must address Medicare cost shifting and improvements in its data gathering.

Finally, the bill creates a Health Access Commission within the legislative branch charged with monitoring the programs to be developed under the bill and their effect on addressing the uninsured population.

WELCOMING THE THAI PRIME MINISTER'S VISIT TO UNITED STATES, AND ENDORSING THAI ANTIDRUG EFFORTS AS A MODEL FOR THE REGION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. RANGEL. Mr. Speaker, last week the Thai Prime Minister, Chatichai Choonhavan, visited the United States. Thai antidrug efforts serve as a model for Asia. I am pleased that the Thai Minister met with President Bush during his visit here.

Under Prime Minister Chatichai Choonhavan, the Thais have become leaders in Asia on drug control. We need Thailand, as the economic and political leader of Southeast Asia, to forge a regional strategy to stop the production and flow of narcotics from the Golden Triangle.

I want to commend Prime Minister Chatichai Choonhavan for recently appointing and arranging for me to meet a new minister, Korn Dabbaransi, the Thai National Drug Policy Coordinator. In addition, our committee has seen first hand, during several study missions—the most recent being in January 1990—the very effective Thai crop substitution program to reduce opium cultivation through growing rice, coffee, and beans. Thailand has also improved its infrastructure with the construction of roads to move these goods.

Burma and Laos continue to be the major producers of heroin and opium in Southeast Asia. We have recently begun narcotics con-

trol efforts in Laos, and the recent electoral victory of the democratic opposition in Burma raises hope for expanded efforts in that nation in the future. With Thailand's established successes in drug control, it should take the lead and work with its neighbors in developing a regional narcotics control strategy.

NO ON RADWASTES

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Ms. SCHNEIDER. Mr. Speaker, I must express my strong opposition to the Nuclear Regulatory Commission's deregulation of low-level radioactive wastes to below regulatory concern. This may appear to be a way to cut the cost of using and disposing radioactive materials, but it simply runs counter to good health practices. This represents unacceptable procedures that will unduly put at risk many generations to come who will receive none of the benefits and all of the burdens of containing and maintaining this long-lived waste product.

It is unfathomable, that at a time when organizations such as the Coalition of Northeast Governors are engaged in developing innovative policies and practices for removing a range of hazardous and toxic materials from our voluminous waste stream—as a precautionary move to prevent leaching of these materials into ground water supplies—that the NRC would contemplate imposing an additional risk factor.

Under this policy, as I understand it, 30 percent or more of the low-level radioactive waste of nuclear powerplants could find its way into the environment. This could occur through incineration of these wastes, burial in landfills, releases into rivers, and even reuse in consumer products.

As my colleagues well know, low-level waste is not synonymous with low-risk. It includes radioactive materials that is not high-level waste or irradiated nuclear fuel. It includes reactor piping and parts, sewage and tank sludges, resins, filters, contaminated oil and soils, sandblasting grit, condenser tubes, concrete used in reactor construction, as well as booties and gloves used by nuclear workers. These biologically active contaminants will remain hazardous for hundreds to millions of years.

The NRC's proposed policy flies in the face of a mounting number of cities and counties across the Nation who are passing resolutions prohibiting the disposal or recycling of radioactive materials in their communities. Their actions are readily understandable. According to research results released by the National Academy of Sciences, low-dose radioactive exposures will cause three to four times more fatal cancers and leukemias than previously thought.

I am most dismayed that if the NRC's policy is allowed to go into effect, once these radioactive wastes are unregulated there will be no records kept on the kinds of waste disposed, nor the location of disposal, nor the radioactivity contained in the waste. This point has

been made by Dr. Martin Steindler, a member of the NRC's Advisory Committee on Nuclear Waste, who pointed out that if mistakes are made in the decisions on BRC levels, or if later scientific studies find that risks were underestimated, it will be too late to turn back the clock. Future generations would have to live at higher risk, and incur burdensome costs, because of the NRC's imprudent action.

The NRC proposed action also goes against the flow of public policy practices that are assessing and incorporating the external costs of each energy resource. More than a dozen public utility commissions, for example, have assessed or are assessing a surcharge on fossil fuels, to account for their negative environmental and public health effects. Low-level radioactive wastes also constitute a negative environmental and public health effect, and these costs should be fully reflected in their proper disposal, rather than imposing these external costs on future generations.

I think my colleagues can agree that the potential for great abuse exists if low-level wastes are reduced to below regulatory concern. Other regulated wastes could be purposely or inadvertently mixed in with BRC wastes. Communities would have no way of knowing whether such wastes conform with the law or not. For these, and other equally compelling reasons, I strongly urge my colleagues to join me in expressing strong opposition to the Commission's policy of downgrading low-level radioactive wastes to below regulatory status, and call for reversing their decision.

TRIBUTE TO THE DADE COMMUNITY BLOOD CENTER

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I recognize today an organization that has served the Miami area exceptionally. This organization is the Dade Community Blood Center.

The Dade Community Blood Center is a nonprofit and all-volunteer blood collection agency and has served Dade County hospitals and patients since 1986. The Dade Center is affiliated with the Broward Community Blood Center, which was started in 1975. This has resulted in efficient, technically advanced network, and a vast range of services for southeastern Florida residents. On Wednesday, July 11, 1990, the Dade Community Blood Center will be celebrating the grand opening of a new blood center, as well as the main office of the National Hispanic Committee for Bone Marrow Transplants.

The Dade Community Blood Center will also be honoring Mrs. Eugenia Sierra, first president of the Hispanic Volunteer Committee, without whom the blood center would not be able to run. Thanks to Mrs. Sierra and others like her organizations such as the blood center can function at a low expense and still serve the public in need of its services.

Congratulations to the Dade, Broward, and new blood centers; the National Hispanic

Committee for Bone Marrow Transplants; Mrs. Eugenia Sierra of the Hispanic Volunteer Committee; and Mr. Willimeim Kane, director of the Dade Community Blood Center for their admirable work and may they have continued success.

FORMULATING NATIONAL TELECOMMUNICATIONS POLICY

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. HASTERT. Mr. Speaker, last Thursday, the House Republican Policy Committee, of which I am a member, debated a resolution, cosponsored by our colleague from New York, Mr. WALSH, proposing that Congress reassert its rightful and lawful role as the branch of government charged with establishing national telecommunications policy as stated in the Commonwealth Act of 1934.

Congress, not the unelected, life-tenured Federal judiciary, should formulate national telecommunications policy. With the dramatic changes which have occurred in the telecommunications industry during the last decade, it is imperative that Congress should set telecommunications policy with appropriate delegation to the Federal Communications Commission and the various State regulatory commissions.

The House Telecommunications and Finance Subcommittee is scheduled to consider this matter later this summer. I would appreciate its consideration of my resolution.

At this point, Mr. Speaker, I would like to insert this resolution in the RECORD for the benefit of all our colleagues:

DRAFT RESOLUTION—HOUSE REPUBLICAN POLICY COMMITTEE

Whereas the Republicans find that—

(1) the national welfare will be greatly enhanced by fostering the development of advanced public telecommunications networks capable of ensuring that innovative technologies will be universally available to the American people, at affordable rates;

(2) continued economic growth and the competitiveness of all American companies in the global information and high technology marketplace are dependent upon—

(A) the full participation of the entire telecommunications industry in bringing telecommunications products and services to the domestic and global marketplaces;

(B) the rapid introduction of new and innovative telecommunications services for American residential and business consumers; and

(C) the continued development of an efficient, reliable and state-of-the-art public telecommunications network to serve the needs of the people of the United States;

(3) the Federal Communications Commission (FCC) was created by Congress over 50 years ago as the expert, independent federal agency to promote national telecommunications policy goals and objectives;

(4) the United States' balance-of-trade in telecommunications equipment has deteriorated from a trade surplus of \$275 million in 1982 to a \$2.6 billion telecommunications trade deficit in 1988; and

(5) the unelected, life-tenured Federal judiciary is formulating national telecommunications policy, and even national tax policy, which is exclusively within the purview of the legislative branch: Now, therefore, be it

Resolved, That—

(1) national telecommunications policy should be established by the Congress, not by the Federal judiciary, as explicitly stated in the Communications Act of 1934;

(2) Congress should assume its rightful jurisdiction over subject matter pertaining to dramatic changes in the telecommunications industry during the last decade using the public interest standard because it is relevant to the furtherance of national telecommunications policy goals and objectives;

(3) Congress should continue to monitor the FCC through its oversight function to ensure that the agency adheres to national telecommunications policy as set by the Congress; and

(4) Congress should set national telecommunications policy with appropriate delegation to the FCC and the various state regulatory authorities.

THE CLARK R. BAVIN NATIONAL FISH AND WILDLIFE FOREN- SICS LABORATORY

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. JONES of North Carolina. Mr. Speaker, today I have introduced a bill to honor a dedicated employee of the U.S. Fish and Wildlife Service, Clark R. Bavin. Since 1972, Mr. Bavin has served with distinction as the Chief of the Division of Law Enforcement for the Service. Under his highly professional supervision and guidance, the agency's law enforcement program has grown in sophistication and effectiveness to the point where it is the finest fish and wildlife enforcement organization in the world and the envy of all nations.

The current stature of Federal wildlife law enforcement is due in large part to the vision and dedication of Mr. Bavin. He has been actively involved in many wildlife legislative issues before Congress and is recognized as a tireless fighter for greater funding for the enforcement of the wildlife laws of this Nation. From past amendments to the Lacey Act to the passage of the Endangered Species Act, Clark Bavin has sought greater protection for the wildlife heritage of our country and has succeeded in achieving this goal. Our wildlife resources are under constant siege from those who would profit from the illegal trade in protected wildlife. Future generations of Americans will still be able to appreciate and enjoy these resources, however, due to the professionalism and dedication of the Federal and State wildlife law enforcement officials of this country. Mr. Bavin has been a true leader in this effort and because of that is owed a debt of gratitude by this country that can never be adequately repaid.

Perhaps the most appropriate symbol of Clark Bavin's vision of the future for wildlife law enforcement is the new National Fish and Wildlife Forensics Laboratory in Ashland, OR. Outfitted with state-of-the-art computers that

far surpass anything comparable in the rest of the world, the forensics laboratory has Mr. Bavin's personal priority project during the many years it took to make it a reality. It has provided a tremendous boost to efforts to prosecute violators of our wildlife laws and has placed the Fish and Wildlife Service's Division of Law Enforcement on solid scientific footing for the 21st century. Now that a tragic illness has ended Mr. Bavin's many years of dedicated service to this country, I can think of no more fitting tribute than to rename the forensics laboratory the "Clark R. Bavin National Fish and Wildlife Forensics Laboratory." I would urge my colleagues to join me in supporting my bill as a way of saying thanks to Clark Bavin and his family for his many contributions to the field of wildlife law enforcement.

U.S. POLICY HINDERS PEACE IN ANGOLA

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. DELLUMS. Mr. Speaker, the President has repeatedly requested increased covert aid to UNITA, an organization dedicated to the overthrow of the Government of Angola. Most recently, President Bush asked the Permanent Select Committee on Intelligence to augment this year's \$80 million budget for UNITA's paramilitary operations.

These developments occur against a background of sincere reform efforts by the Angolan Government. In compliance with the Brazzaville accords, for instance, Cuban troops have been withdrawn from Angola; a ceasefire in the civil war with UNITA has been agreed to, along with face-to-face negotiations; the Government has agreed in principle to open elections in a multiparty system; and, movement toward a free-market economy with private ownership of businesses and land has taken place.

The United States should discontinue lethal aid to UNITA in light of these steps. Additionally, steps should be taken toward recognition of the Angolan Government, with establishment of diplomatic relations to follow.

The United States can no longer justify its inflexibility with regard to Angola in the context of superpower conflict. Moreover, events in Eastern Europe belie fears of Soviet domination and make a policy formulated on that basis obsolete. Most tragically, failure to change our policy may result in the loss of an historic opportunity to reach a peaceful resolution of the Angolan civil war.

The following editorial, reprinted from the June 25, 1990 Christian Science Monitor, argues for just such a reassessment of our policy. I commend this article to the attention of my colleagues, and hope that you will consider the views presented herein.

[From the Christian Science Monitor, June 25, 1990]

RE-EVALUATE, RECOGNIZE ANGOLA

(By Stephen Zunes)

Despite the euphoria resulting from independence in Namibia and prospects for negotiations in South Africa, another conflict

in that region continues—and the United States is fanning the flames. The United States Government continues to arm UNITA, a rebel organization seeking to overthrow the Angolan Government. Angola's civilians are the principal victims.

Angola, with its large oil reserves, is potentially one of the richest countries in Africa. Yet thanks in large part to the chaos wreaked by UNITA, the country ranks near the bottom of the world's nations in providing its citizens with even the most basic needs. In 15 years of war since independence, over 200,000 Angolans have been killed and more than 20,000 children orphaned. UNITA's use of landmines has produced a gruesome statistic: over 50,000 Angolans have been left amputated, the highest per capita in the world. Many of these mines come courtesy of the U.S. taxpayer.

UNITA's sabotage of highways and rail lines has severely disrupted the economy—already strained by drought—and has made it difficult to transport food and necessities to remote regions of the country. Even international relief workers are threatened by UNITA attacks as they try to get food to starving peasants.

Other African countries are damaged as well. The Benguela Railway, a favorite target of UNITA assaults, is the only outlet besides South Africa from mineral-rich areas of Zambia and Zaïre. Indeed, these attacks force nations to depend on South Africa and its ports to move minerals to market, a result that motivates the apartheid state to join the United States in supporting UNITA.

Unlike the contras of Nicaragua, UNITA has its roots in the anti-colonial struggle against the Portuguese. It has a popular base. However, this support comes almost exclusively from the minority Ovimbundo tribe. It's far from unanimous. UNITA's alliance with South Africa, their disruption of the economy and attacks have damaged their claim to be a legitimate liberation movement.

While the Bush administration and most of Congress have lauded UNITA leader Jonas Savimbi as a freedom fighter for democratic ideals, only a few years ago this Chinese-trained guerrilla leader was depicted as a Maoist terrorist. Though there's been much speculation regarding the reasons for Savimbi's flip-flop, it seems little more than crass opportunism. Savimbi's main interest is personal power.

Last year, with the assistance of 18 African countries, UNITA and the Angolan Government signed a peace agreement providing an end to the fighting, and a framework for democratization and reconstruction. No sooner had the ink dried than Savimbi reneged and ordered his forces to resume attacks. Despite this violation of the Gbadolite Accords, United States aid to UNITA continues.

Currently, among the minority of Americans who understand Angola there is little support for U.S. policy toward that country. In addition to the peace organizations, church groups and intellectuals who normally raise questions about U.S. intervention in the third world, opposition to U.S. support to UNITA comes from less likely sources as well.

The conservative National Review has attacked UNITA as "Leninist," and condemned it for its authoritarian organizational structure and ruthless treatment of internal dissidents. Major oil companies doing business in Angola have lobbied vigorously against United States aid to the

rebels, citing attempted sabotage by UNITA against their facilities. (The same investments were guarded from UNITA attacks for several years by Cuban soldiers.)

There's no logic to U.S. support for UNITA other than a knee-jerk cold war reaction) that if a government professes a belief in Marxism and receives support from the U.S.S.R. it is simply illegitimate. Even this justification is outdated: The Soviets have cut back aid considerably. Cuban troops have withdrawn, and the Angolan government has pledged to build a free-market economy and develop a pluralistic political system when a cease-fire is permanent.

Supporting the overthrow of an established government—a member of the Organization for African Unity recognized by virtually all African countries—severely damages U.S. relations throughout the continent. That such a policy directly allies the United States with South Africa harms our credibility even more. Not only that, the U.S. is alone among its Western allies in its refusal to recognize the Angolan Government.

It's time Congress and the White House re-evaluated United States policy in Angola. Interventions in Third World conflicts, taken without concern for a region's complex and changing realities have repeatedly proven disastrous—for the countries on the receiving end, and the United States.

FOOD FOR PEACE AND AGRICULTURAL EXPORT PROGRAM ACT

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. GEJDENSON. Mr. Speaker, today I am introducing the Food for Peace and Agricultural Export Promotion Act. This legislation is identical to the text approved on June 5, 1990, by the Foreign Affairs Subcommittee on International Economic Policy and Trade, which I chair.

In reauthorizing the Food for Peace Program, this legislation clarifies the authorities of USDA and AID in an effort to increase accountability and to reduce the bureaucratic turf fights that have come to characterize the program. USDA will be responsible for the title I concessional loan program which will have market development as its mandate. That agency will be responsible for choosing the commodities sold, the countries eligible for loans, and the market development activities to be funded by the local currencies generated from the program.

AID will be responsible for a new title I grant program that will be devoted to economic development. It will be responsible for selecting the commodities to be used in the program, the countries chosen for grant aid, and the economic development activities to be funded by local currencies.

Title II of Food for Peace will continue to be a commodity donation program for disaster relief, economic development, and feeding programs in the poorest countries. As in current law, title II will be managed by AID, with private voluntary agencies and cooperatives responsible for running most of the program.

This legislation has a new title II program of agricultural assistance to emerging democracies. Entitled "Food for Freedom" this is a program of up to \$120 million annually in sales or grants of commodities to countries that are on a path to representative government and market-oriented economies. Many countries in Eastern Europe will be eligible for title III assistance.

U.S. agricultural export promotion programs are also reauthorized by this legislation. The primary export promotion efforts reauthorized by the bill include the Export Promotion Program, the GSM-102 and GSM-103 programs, and the Market Promotion Program, which is currently called the Targeted Export Assistance Program.

This legislation will increase exports of U.S. agricultural commodities and products by making export promotion programs more cost-effective, by increasing funding and guarantee authorization levels for certain programs and by ensuring that export promotion programs meet the challenges posed by economic and political reform in Eastern Europe and Latin America.

Specifically, this legislation, in addition to reauthorizing all U.S. agricultural export promotion programs for 5 years, provides new loan guarantee authority under GSM-102 and GSM-103 to guarantee agricultural exports to emerging democracies. It would also provide new agricultural fellowships to students from emerging democracies and authorize a new program of exchanges of agricultural experts between the United States and emerging democracies.

This bill would also require significant improvements in USDA administration of all agricultural export promotion programs, to ensure that U.S. taxpayer dollars are not wasted.

USDA would also be required, for the first time, to create a long-term strategy governing the implementation and coordination of U.S. agricultural export promotion programs over 3 years, instead of the current 1-year agricultural trade strategy currently required.

This legislation would also denounce the potentially negative impact of the European Community's product standards and testing policies upon U.S. agricultural exporters, and urges the President to use all available means to change these policies.

STRONGER PROVISIONS ON FOREIGN DIRECT INVESTMENT AND NATIONAL SECURITY NEEDED NOW

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. WALGREN. Mr. Speaker, President Bush, in his inaugural address, used the phrase that we were meeting on America's front porch. The difficulty is that although we may not know it, we might not own America's front porch, and worse than that, we may assume that we own it and be disappointed.

Americans have the right to know what foreign interests are buying up our country, and the Federal Government must have the tools

and the will to protect America's national economic security interests.

For this reason, I am introducing legislation today to give the President new powers to restrict foreign takeovers, especially of U.S. high technology firms. The legislation would also ensure that foreign acquisitions involving important U.S. technologies would be subject to a complete and thorough investigation before being allowed to go forward.

I do so not to discourage appropriate foreign investment which brings capital to the United States and creates jobs, but to guarantee that the security interests of the United States are not compromised by wholesale foreign control of sectors of our economy vital to our future.

Much of the recent skyrocketing wave of foreign investment—foreign investment in the United States has risen from \$500 billion in 1980 to \$2 trillion as of last year—was brought on by the disastrous economic policies of the 1980's, which tripled the national debt and cheapened the dollar on world markets. Foreign investors now own 13 percent of the U.S. manufacturing base, and 50 percent of the vital consumer electronics industry. Between 1980 and 1988, foreign direct investment in the U.S. electronics industry alone tripled to over \$12 billion.

The average citizen in every town in our country wants to know if anyone in Washington knows what is going on and what is the Federal Government doing to guard against unacceptable foreign control. As research and technology, which are the real source of economic wealth, are put daily on the international auction block, we transfer to foreign purchasers more and more of the economic advantages that America will need in the future. Those nations that are behind in new technology fall progressively farther behind. Those nations that are ahead advance progressively farther ahead.

When a foreign investor buys a U.S. firm, it often means that U.S. technology is transferred abroad and research and technology are reduced in the United States. U.S. customers of that new foreign-owned firm often are supplied only after the needs are met of their foreign competitors that have bought the U.S. firm.

This is not a new problem we face. It is an old and obvious one, so obvious that we even have a committee within the executive branch which is dedicated to the review of the implications of direct foreign investment.

But as obvious as the problem may be, this committee is failing to protect critical American interests because the administrations of the last 10 years have been paralyzed by devotion first to a free-trade ideology, and second, by their overriding fear that foreign investors may stop refinancing large national budget deficits. To date, this committee has received more than 350 notices of foreign takeovers of U.S. firms, but only 10 investigations have been conducted, and only 1 takeover blocked.

Despite the strategic importance of the semiconductor industry to our Nation's defense, as well as economic strength, the President has failed to block a single foreign takeover of the equipment and materials man-

ufacturers that supply this critical industry. The aggressive targeting of the U.S. semiconductor supplier industry by foreign investors has led some to call for a moratorium on foreign acquisitions in this essential industry.

For example, over 95 percent of the United States domestic production of silicon wafers is now foreign owned, with Japan controlling about 65 percent of the capacity. With the foreign acquisition of Union Carbide's polysilicon facility about to go through, 71 percent of United States polysilicon production will be owned by the Japanese.

Sony's acquisition last year of Materials Research Corporation [MRC] means Japan now dominates 70 percent of the United States sputtering target production, a key component in the production of semiconductors.

Through recent acquisitions, Japan also now controls 45 percent of United States specialty gas production, and through yet another takeover, Japan is about to take control of 40 percent of the United States gas containment distribution market. These acquisitions will make Japan the world's leader in semiconductor gas production and distribution systems.

The Commerce Department recently issued its long-awaited report on the competitiveness of the United States electronics industry which said that in the next few years, Japan, not the United States will dominate the world electronics market. The American electronics industry was, in their words, being eclipsed, and despite the real and present threats to our Nation's security that fill virtually every page of that report, there was no agenda for action that offered even a remote hope of bringing us back from the edge of economic disaster.

The report identifies our electronics industry's growing dependence on foreign sources of materials and components as a weakness with clear implications for our national security. But, this same administration has repeatedly failed to use authority it has to block foreign acquisition of vital U.S. producers on which the entire electronics industry must depend.

Our Government has become fearful, and until we put that fear behind us and take charge of our own economic destiny, our future will be filled with shining examples of economic success abroad and stagnation and decline here at home. America deserves better.

The legislation I am introducing today would lead to a more aggressive defense of vital U.S. national economic interests. It would give our Government the power to put conditions on foreign acquisitions of U.S. firms limiting technology transfer, guaranteeing the continued supply of U.S. customers and other requirements that may impact national security. It would require that full investigations be conducted of any foreign takeover which involves acquisition of an essential U.S. technology.

It would also ensure that the Commerce Department and the Defense Department, the two principal agencies involved in investigating foreign takeovers, have the ability to initiate a formal investigation when they feel the matter requires it. The bill would also require the President to identify those parts of the U.S. defense industrial base that are being hollowed out, as foreign investors acquire U.S. firms which are major suppliers to Defense contractors.

Mr. Chairman, I hope my colleagues will support this legislation which I strongly believe is needed now to prevent further erosion of the technology base of our country.

AMENDMENT OF SECTION 842 OF THE INTERNAL REVENUE CODE

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. LEVIN of Michigan. Mr. Speaker, today I am introducing, along with Mr. VANDER JAGT, a bill to amend section 842(b) of the Internal Revenue Code which affects the taxation of foreign companies carrying on an insurance business within the United States. This legislation is intended to correct certain technical problems and inequities in the current section 842(b).

Section 842(b) was added to the Internal Revenue Code as part of the Omnibus Budget Reconciliation Act of 1987 to address a concern that foreign insurance companies were able to minimize the amount of net investment income subject to U.S. taxation. Section 842(b) sets out rules for calculations "required U.S. assets" and a "minimum effectively connected net investment income." Under section 842(b), the net investment income of a foreign insurance company that is effectively connected with the conduct of an insurance business in the United States may not be less than the required U.S. assets of the company multiplied by the domestic investment yield applicable to the company for the taxable year. "Required U.S. assets" is the product of the foreign insurance company's U.S. insurance liabilities and the domestic asset/liability percentage. Once this minimum amount of effectively connected net investment income is calculated, the insurance company pays tax under the regime set out in subchapter L of the Internal Revenue Code—but using the greater of this minimum amount or the company's actual amount of effectively connected net investment income as the amount of its net investment income.

The amending legislation changes current section 842(b) in three mechanical ways but does not change the fundamental concept set out in the 1987 amendments. Under current section 842(b), Treasury has been using 2-year-old financial statement data from the annual statements of the domestic insurance companies—the so-called NAIC annual statements—as the representative domestic company data to determine the domestic asset/liability percentage and domestic investment yield. The domestic asset/liability percentage and the domestic investment yield are then used by the foreign insurance companies to calculate their minimum effectively connected net investment income.

The amending legislation requires that Treasury use domestic company tax return data from the same taxable year as the year for which the section 842(b) calculations are being done. Since foreign insurance companies are taxed on the basis of the domestic asset/liability percentage and the domestic in-

vestment yield calculated under section 842(b), it seems only fair and reasonable that the same year tax return data be used rather than 2-year-old financial statement data. These amendments change the calculation of the minimum amount of effectively connected net investment income so that it is based upon amounts of net investment income on which domestic companies have been taxed. Finally, the amending legislation provides for a carryover account to account for ordinary year-to-year differences in portfolio trading practices from company to company.

The use of 2-year-old data from domestic insurance companies to calculate the domestic asset/liability percentage and the domestic investment yield creates a serious distortion in calculating the appropriate tax liability for foreign insurance companies. The 2-year lag has created a particularly serious problem given the effective date of section 842(b). The first taxable year for which section 842(b) is applicable is 1988. Thus, 1986 investment yields will be used under existing section 842(b) to calculate the minimum which will be compared with the foreign insurance company's 1988 actual effectively connected net investment income. Investment yields for 1986 were much higher than the investment yields earned by both domestic and foreign companies in 1988. The 1986 domestic investment yield, as calculated by Treasury, was 10 percent. The comparable domestic investment yield for 1988 has been estimated to be 8.9 percent, a difference of more than 100 basis points. This problem can reoccur year to year as yields fluctuate.

A second problem with current section 842(b) involves the source of the data being used by Treasury to calculate the domestic asset/liability percentage and the domestic investment yield. In both Notice 89-96 and Notice 90-13, Treasury stated that it utilized NAIC annual statement data to determine both the domestic asset/liability percentage and the domestic investment yield. Tax return net investment income can vary significantly from NAIC annual statement income. Congress recognized this year point in section 56(f)(1) which provides that, for taxable years 1987, 1988, and 1989, a corporation must increase its alternative minimum taxable income by 50 percent of the difference between financial statement income, as adjusted, and alternative minimum taxable income computed without regard to section 56(f)(1). Using NAIC annual statement data for section 842(b) purposes has the effect of taxing foreign life insurance companies based upon the financial statement income of domestic life insurance companies, even though there is no assurance that domestic life insurance companies have been or will be actually subject to tax on that amount of net investment income.

Perhaps the most significant difference between NAIC annual statement data and tax return data is in the calculation of net capital gains and losses. For NAIC annual statement purposes, gains and losses are calculated using NAIC asset values, not actual tax costs. NAIC asset values are subject to write-downs and write-ups, with conservative guidelines mandated for use in the preparation of the NAIC annual statement dictating more write-

downs than write-ups. This results in a book value which is generally less than tax cost and therefore NAIC annual statement capital gains greater than capital gains on a tax basis. Such overstatements inflate the domestic investment yield. This inflation of domestic investment yield is inappropriate since the U.S. insurance companies are not being taxed on the gains calculated in this manner.

A third problem with section 842(b) which is addressed by this legislation involves the whipsaw effect of section 842(b)'s year-by-year comparison of the required minimum amount of effectively connected investment income and the company's actual net investment income.

Under current law section 842(b), in any taxable year, a foreign insurance company is subject to tax on the greater of first, its actual effectively connected net investment income and second, its minimum effectively connected net investment income, with the minimum being calculated using domestic company financial statement data from 2 years previous to the current year. This greater-of approach will result in a foreign insurance company being subject to tax on net investment income greater than either it or a representative domestic insurance company earns over any measured period of time.

For example, if foreign company investment yields over time are identical to domestic company investment yields during the same period but differ on a year-by-year basis, under current section 842(b), because of the greater-of approach of section 842(b), exacerbated by the 2-year lag and data collection problems, the foreign company will be subject to tax on a greater cumulative yield over the period than either it or the representative domestic companies earned during that period. A small difference in investment yield can create large distortions in the calculated minimum under section 842(b). This distortive impact can create a U.S. tax liability for a foreign insurance company that exceeds its U.S. net income.

A carryover account is needed even though the amending legislation eliminates the use of 2-year-old data. The carryover account is needed to account for year-by-year differences in trading practices, year-to-year investment performance, portfolio mix, and the timing of realization of capital gains and losses between a foreign insurance company and the representative domestic insurance company which can result in significant year-by-year differences between the domestic and foreign yields, even where the yields are identical on a cumulative basis over time.

The use of a carryover account is necessary to ensure that trading differences and timing issues do not result in a foreign insurance company being subject to income tax on a cumulative amount of net investment income that exceeds both what the foreign insurance company and the representative domestic insurance company actually earned over that period of time. The carryover account would keep track, on a yearly basis, of the cumulative difference between actual effectively connected net investment income and minimum effectively connected net investment income. The intent of the carryover account is to ensure that a foreign insurance

company will be subject to tax on the greater of its cumulative actual effectively connected net investment income and the cumulative minimum effectively connected net investment income. The greater-of concept is measured on a cumulative basis, not an annual basis.

While current section 842(d)(2) provides that Treasury shall issue regulations that provide for adjustments in future years where actual effectively connected net investment income in a year exceeds minimum effectively connected net investment income for that year, no regulations have been issued on this point. The amending legislation clarifies that adjustments would be made so that the foreign company will be subject to tax over the cumulative period on the greater of what it actually earns over that period and what the average domestic company earns over that same period. If, due to poor investment performance, the foreign company earns less than the cumulative required minimum over the period, the foreign company would be subject to tax on the cumulative minimum. If the foreign company earns more than the cumulative required minimum over the period, the foreign company would be subject to tax on its cumulative actual.

Current section 842(b) is objectionable in a number of ways. In addition to the problems laid out above, it may violate the nondiscrimination articles found in many of our income tax treaties in that section 842(b) taxes a foreign insurance company less favorably than domestic insurance companies are taxed. The amending legislation is intended to make section 842(b) work in a manner that is both fair and consistent with our international obligations.

I have requested a revenue estimate from the Joint Committee on Taxation for this legislation and am awaiting a response. Of course, in these times of fiscal austerity, the revenue consequences of any proposal, even one firmly grounded in good tax policy, as I believe this one is, may constrain the Congress in addressing a problem in the Tax Code. However, I strongly feel that revenue costs alone should not prevent us from seeking to implement our Tax Code fairly. For these reasons, I urge the House to give serious consideration to these important reforms.

FAIRLY APPORTIONING INTEREST ALLOCABLE TO ECA'S

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. SCHULZE. Mr. Speaker, today I am introducing legislation to eliminate a penalty that is imposed by the tax laws on certain U.S. taxpayers that acquire or construct property to control pollution or otherwise improve the environment. The penalty has a detrimental effect on the international competitiveness of U.S. business and provides a disincentive to reducing pollution in the United States.

To reduce pollution voluntarily or in compliance with U.S. environmental laws, such as the Clean Air Act, companies often acquire or construct property. To pay for this property,

companies must either incur debt or transfer funds from other operations and ultimately incur additional debt or pay down debt more slowly. However, only certain companies can fully deduct interest on this debt. U.S. companies with solely domestic operations and U.S. subsidiaries of foreign companies may fully deduct the interest against U.S.-source income. In contrast, the benefit of a full interest deduction is denied to most U.S. companies with foreign operations.

This disparity arises because U.S. companies with foreign operations are required to apportion interest expense between U.S.-source and foreign-source income and because current rules result in an overapportionment of interest to foreign sources. If an interest deduction reduces foreign-source income, it reduces the U.S. taxes attributable to foreign-source income and, therefore, the foreign tax credit. As a result, foreign-source interest deductions do not reduce U.S. tax liability for most U.S. companies with international operations. This is a particular problem when an expense is apportioned to foreign sources for U.S. tax law purposes, but the expense is actually attributable to domestic activity and, therefore, is not allowed as a deduction by foreign countries.

U.S. tax law overapportions interest expense to foreign sources because apportionment generally is based on the tax book value of assets—that is, their adjusted basis for regular income tax purposes. Assets with proportionately greater tax book values will have proportionately more interest apportioned to them. But assets used abroad tend to have greater tax book values than similar assets used in the United States. This is because, under our tax law, assets used abroad are depreciated less rapidly than assets used in the United States. As a result, interest is overapportioned to assets used abroad. This overapportionment to foreign sources means that interest on indebtedness attributable to pollution control property is overapportioned to foreign sources, and companies subject to this overapportionment are denied the full benefit of the interest deduction related to such pollution control property.

I am certain that Congress never intended this overapportionment to penalize companies that seek to control pollution. This penalty is especially counterproductive at a time when we are asking U.S. companies to invest substantially in equipment designed to reduce pollution. The United States already spends some \$90 billion each year controlling pollution, and the Clean Air Act amendments that are currently pending in Congress are expected to add at least another \$22 billion in additional pollution control costs. These expenditures generally will not generate new income for American business. Instead, they will increase borrowing and decrease profits. To magnify these costs by effectively denying interest deductions would be terribly unfair.

The interest penalty is also unfair because it applies only to U.S. companies that participate in foreign markets—and the greater the participation the greater the penalty.

The proposed legislation would eliminate this anticompetitive, counterproductive and unintentional penalty by reducing the overap-

portionment of interest attributable to the acquisition or construction of assets needed to reduce pollution, increase recycling and otherwise improve our environment. It would directly allocate interest to new environmental assets and generally treat that interest as U.S. source. To ensure that the bill does nothing more than eliminate a penalty, the total interest apportioned to U.S. sources will be no greater than the amount that would be apportioned if the location of an asset did not affect how rapidly the asset is depreciated for tax purposes. I strongly urge my colleagues to support this legislation that is essential to our continuing efforts to improve the environment.

A technical explanation of the bill follows:

TECHNICAL EXPLANATION OF PROPOSED LEGISLATION THAT FAIRLY APPORTIONS INTEREST ALLOCABLE TO ENVIRONMENTAL CONTROL ASSETS

SUMMARY

The provision would directly allocate a portion of a taxpayer's interest expense to environmental control assets ("ECAs"). The portion generally would be apportioned to U.S.-source income and, therefore, would not reduce the taxpayer's foreign source income. The remainder of the taxpayer's interest expense would be apportioned in accordance with the principles of present law. The total interest apportioned to domestic sources would not exceed the total amount that would be so apportioned if E&P basis were used for apportionments based on assets.

ALLOCATION TO ENVIRONMENTAL CONTROL ASSETS

A taxpayer would determine for each taxable year its weighted average interest rate on its debt. The average would be based only on "fungible" interest and debt; the average would include only interest (and the related debt) that is subject to apportionment based on asset values (basis or fair market value) under current law. For example, interest on nonrecourse debt and other interest that is directly allocated to specific assets under Temp. Reg. § 1.861-10T would not be included in the average. The interest allocable to ECAs would be determined by multiplying the weighted average interest rate by the average adjusted basis (as determined for earnings and profits) of ECAs. As under current law (Temp. Reg. § 1.861-9T(g)(2)), the average adjusted basis for the year would be the average of adjusted bases at the beginning and end of the year.

The allocation rules described above would not apply to ECAs to the extent that the direct allocation rules of Temp. Reg. § 1.861-10T apply. Thus, the present direct allocation rules for nonrecourse debt and integrated financial transactions would prevail over the allocations under the proposed legislation.

APPORTIONMENT OF INTEREST

Interest expense that is allocated to ECAs would be apportioned in accordance with the source of income generated by the ECAs or the assets to which they relate. All other interest expense would be apportioned in accordance with the applicable interest expense apportionment rules under Code section 864 and Treasury regulations under section 861. However, under the principles of present regulations (Temp. Reg. § 1.861-9T(g)(iii)), which for general apportionment purposes reduces the value or basis of assets to which interest is directly allocable, the basis or fair market value of ECAs generally would not be taken into account when ap-

plying the rules for apportionment based on assets.

CAP ON REAPPORTIONMENT

The total amount of fungible interest that can be apportioned to domestic sources under these rules may not exceed the interest that would be apportioned to domestic sources if E&P basis, rather than tax basis or fair market value, were used for apportionments based on assets.

ENVIRONMENTAL CONTROL ASSETS

The term "environmental control assets" includes equipment and facilities that reduce or eliminate the emission of pollutants into the environment, reduce the generation of waste, convert or recycle waste into usable products, or allow taxpayers to comply with environmental law. Only assets used in the United States would qualify. The provisions would apply in tax years beginning after December 31, 1989, with respect to assets placed in service after such date.

RECOGNIZING MIAMI-DADE COMMUNITY COLLEGE ALUMNI ASSOCIATION BOARD OF DIRECTORS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize the Miami-Dade Community College Alumni Association Board of Directors. This fine educational institution has been teaching the people of Miami for many years and, today, I would like to pay a special tribute to those people whose involvement and dedication to the school make Miami-Dade Community College the outstanding center of learning that it is.

On Thursday, June 28, a special reception honoring the 1990-91 Alumni Association Board of Directors will be held. The reception will be held at the Wolfson Campus, 300 Northeast Second Avenue from 6 to 8 p.m. Hosting the event will be Dr. Robert H. McCabe, president of Miami-Dade Community College and Ana Maria Fernandez Haar, president of the Miami-Dade Community College Alumni Association. Both Dr. McCabe and Ms. Haar have demonstrated outstanding ability and commitment for this event, which will undoubtedly be successful.

The 1990-91 Miami-Dade Community College Alumni Association Board of Directors are: Ana Maria Fernandez Haar, president; Reydel (Sonny) Santos, vice president, membership and chairman, Council of Alumni Presidents; Jim Gall, vice president special events; Charlotte Lorber, public affairs; Robert P. Hialy, Jr., treasurer; and Members at Large: Steffie Durnberg, Helen T. Erstling, Richard Gropper, H. Clayton Hamilton, Denna Laster, Marta Medina, S. Ahmed Merchant, Cynthia A. Allen, Nancy Anderson, Robert L. Bergmann, Barry Burak, Anne Calandrino, Frank J. Cobo, Kelsey Dorsett, Mercedes Quiroga, and Vera Sincavage.

There are many people who make Miami-Dade Community College an outstanding educational institution, but the Alumni Association Board of Directors continue to demonstrate

their concern for the school and the community. I congratulate them on a productive and successful year.

BIG NAMES, NOT BIG CHANGES

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. PORTER. Mr. Speaker, Fang Lizhi and his wife Li Shuxian have left the People's Republic of China. We all rejoice with them and celebrate their freedom.

The credit for this event belongs to Fang and his wife—their perseverance and bravery—not to the Chinese Government. The only reason they were released was because Beijing wants to curry favor at the upcoming economic summit, and avoid MFN withdrawal.

Remember that Fang and Li would be arrested today were they to take one step on the soil of their homeland. And that thousands of Chinese remain in prisons and millions are denied fundamental human freedoms.

The release of Fang and his wife was not farsighted, it was a cynical public relations gesture aimed at influencing U.S. policy. We should respond by saying, "Try again." People have rights, they are not just bargaining chips.

THE NATIONAL WRITING PROJECT'S PROGRAMS

HON. NICHOLAS MAVROULES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. MAVROULES. Mr. Speaker, today I am joining in cosponsoring H.R. 5127, legislation sponsored by Representative GEORGE MILLER, which would support the National Writing Project. This legislation will help address one of our Nation's most intractable education problems: The lack of writing skills among our students.

H.R. 5127 enhances the National Writing Project's programs throughout our country. These programs have been very effective in improving student learning ability, performance, and test scores, and have been endorsed by the American Association for Higher Education, the Carnegie Foundation for the Advancement of Teaching, and the National Endowment for the Humanities. They have been funded by the National Endowment for 10 years, as well as by other private and public agencies, and has expanded to include more and more sites.

Partly as a result of this success, funding has not kept pace with this expansion, and some local sites have been forced to cut back or close. Representative MILLER's legislation addresses this problem in a practical and cost-effective manner. By funding 50 percent of individual sites up to \$40,000, the program aids local agencies in funding, while requiring significant local support and responsibility. This represents a true partnership between the Federal Government and local/private organizations.

In addition to the funding of individual sites, this legislation also would provide matching grants for research into effective classroom methods of teaching. It would also aid the National Writing Project in disseminating such information to teachers. This will assist those teachers who want to improve their skills, but lack the knowledge and resources to do so.

By providing \$500,000 for the Office of Educational Research and Information [OERI] in the U.S. Department of Education to conduct research on the best methods of teaching writing, this measure will help improve teaching techniques in this vital area of education. Research into using writing as a learning tool to improve other aspects of education is another goal supported by this legislation. There is evidence from the National Writing Project that students who become proficient writers can use their writing skills to improve their knowledge in other areas. Such a multidisciplinary approach to learning, and teaching, shows some promise in addressing our Nation's educational concerns.

Mr. Speaker, there is a writing project in my home State of Massachusetts which is located in Boston. This bill will help support the Boston Writing Project which has been effective in enabling the teachers of my State, and district, to focus on improving our students' writing skills. Several communities in my district, including Salem and Ipswich, have benefited from the Boston Writing Project. With additional support, more communities and schools will be able to profit from this program in the future. Such Federal support is particularly critical given the international competition our citizens and Nation as a whole are currently experiencing. We must find ways to enable our young people to become better writers and better educated individuals. Partnerships between the Federal Government and local entities represent a balanced, effective way to address our Nation's educational challenges. Support for the National Writing Project is one way to accomplish our goals of effectively educating our students to take their place in our increasingly competitive world.

KERR-McGEE MUST EXAMINE ITS ENVIRONMENTAL CONSCIENCE

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. HASTERT. Mr. Speaker, Within the appropriations bill we debate today is an appropriation of \$1 million for the Robert S. Kerr Environmental Research Laboratory at Ada, OK. I do not rise to take issue with the funding of this project, but to point out a degree of irony. It is my understanding that the \$1 million will be designated to study techniques for the containment and disposal of radioactive waste—specifically the contamination of groundwater.

In the city of West Chicago, IL, which is within my congressional district, the Kerr-McGee Corp. is the owner of the second largest radioactive waste site in the Nation. The State of Illinois and many others have been

battling with Kerr-McGee to ensure that 13 million cubic feet of radioactive waste in the middle of West Chicago is removed. Kerr-McGee has attempted to thwart the State's efforts to require safer, off-site disposal, preferring to dispose of this nuclear waste by leaving it right where it is; in the middle of a town of 12,000 people, and surrounded by five local schools.

My hope is that the Robert S. Kerr Environmental Research Laboratory, named after the distinguished late Senator from Oklahoma, and former chairman of the board of the Kerr-McGee Corp., will actively demonstrate to the Kerr-McGee Corp. that sweeping this mess under the rug will lead only to a big hole in that rug. The citizens of West Chicago deserve better treatment, and I hope the Kerr-McGee Corp. will take a lead from the positive environmental legacy left by its former chairman.

ST. MARON'S CHURCH 75TH ANNIVERSARY

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Ms. OAKAR. Mr. Speaker, St. Maron's Church is celebrating its 75th anniversary in Cleveland, OH. The following history was given by Isabel Thomas:

This year, St. Maron's Maronite Catholic Church of Cleveland, Ohio is celebrating seventy-five years of serving Cleveland's Lebanese, Syrian, and American Maronite communities. The vitality of this community is the fruit of dedicated perseverance for many years.

When Catholics of the Maronite Rite first immigrated to Cleveland, they did not have their own place of worship. Instead, they attended various Latin and ethnic churches throughout downtown Cleveland.

Once the First World War erupted, members of our community were unable to communicate with family and loved ones across the seas. Cut off from their families, they turned to each other, and the core of the Maronite community started to solidify. Collectively, they formed the St. John Maron Society which fulfilled not merely a social function, but an economic function as well by raising funds to purchase property for their own church. The St. John Maron Society assembled in various homes in the Woodland, Orange, Broadway, Central, Bolivar, Eagle, and West 14th Street areas of Cleveland.

Seventy-five years ago, in 1915, they acquired an old red brick, two-story, flat-roof residence on East 21st Street. Although a simple building, in an attempt to create a more sacred space for worship, they pasted colored pieces of paper in the windows to simulate stained glass.

In 1927, Rev. Joseph Komaid, Missionary Apostolic of Lebanon of the Crimean Order, led the church, and under his leadership, in 1939, they moved to St. Anthony's Church on Carnegie Avenue. The church, adorned with gorgeous art reminiscent of the Italian Renaissance, was dedicated on April 7, 1940, and in 1951, a new rectory was built and furnished by the parishioners. The centralized location of the church provided wider access to the parishioners living in different areas.

Father Komaid served in our parish until June 29, 1952. On the very day his friends celebrated his 50th Jubilee of Ordination and his 25th anniversary as St. Maron's Pastor, he died of a heart attack.

Father Joseph C. Feghali, who had arrived at our Parish in 1951, followed Father Komaid as Pastor. In 1957, he was bestowed with the title of "Very Reverend Monsignor" due to his exemplary leadership. In 1972, he was given the title of "Chor-Bishop" by Archbishop Francis M. Zayek.

Father Feghali's service transformed St. Maron Parish in Cleveland into one of the foremost in the Maronite Diocese. He was transferred to Detroit in 1976.

Succeeding Chor-Bishop Feghali were Msgr. Elias El-Hayek, and then Father Elias Abi-Sarkis. During Father Abi-Sarkis's tenure, a major fundraising campaign was undertaken in 1980 to further renovate the church. In 1983, a second building of Middle Eastern architecture went up serving as the administration building. The new complex provided a better space for us to celebrate our cultural traditions.

Following Father Elias Abi-Sarkis, Chor-Bishop Dominic Ashkar served as Pastor from 1986 to 1987.

In 1987, Father Bernard Khachan, who was born in Ibrein, Lebanon, was assigned to our parish. He speaks Spanish and French fluently, as well as Arabic and English. Shortly after his arrival in Cleveland, he was raised to the esteemed level of Monsignor by the request of Archbishop Francis M. Zayek.

Mr. Speaker, we are proud of the leadership of our pastor, Msgr. Bernard Khachan. Also, we are fortunate to be one of the few in the Maronite Diocese of the United States to have both a deacon, Mr. James Peters, and a subdeacon, Rev. George Khoury.

Once again, I applaud the 75 years of the St. Maron Church in Cleveland, and I look forward to the contributions of this community in the years ahead.

With which on a personal note this is a church in Cleveland my family identifies. My parents were active members who taught their children to respect and love St. Maron's Church.

AUTHORITY FOR STATE WATER CONTROL

HON. LARRY E. CRAIG

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. CRAIG. Mr. Speaker, I rise today to join my colleagues from Idaho, both in the House and Senate, in introducing a bill very important to our State of Idaho and the other 49 States of the Union. It would ensure that State governments—not the Federal Government—are the principal authority over streamflow decisions.

The U.S. Supreme Court's decision in California versus Federal Energy Regulatory Commission, also known as the Rock Creek decision, threatens a century-old standard of State water control. The ability of a State to make the principal and critical water allocation and appropriation decisions has been at the heart of Idaho law since we were admitted to the

Union. That principle is in jeopardy as a result of the Supreme Court's recent ruling.

It's our belief that rulings like the Rock Creek decision are based upon an incorrect interpretation of the Federal Power Act. Our legislation will clarify that act to ensure that States have no diminished decisionmaking authority when it comes to water allocation decisions.

Specifically, the legislation would amend sections 9 and 27 of the Federal Power Act to clarify that an applicant for a license must comply with all procedural and substantive requirements of State law in acquiring water rights and in the administration of the use of water.

Mr. Speaker, as you will recall, I introduced H.R. 4921 on May 24, 1990, to address the Court's decision by amending section 27 of the Federal Power Act. Today's legislation is entirely consistent with the approach in that bill and serves to further clarify State primacy in this area of water law. With several cosponsors to H.R. 4921 already, I am confident we will find similar support for this new legislation.

Finally, I am happy to acknowledge the hard work of Idaho State water and legal officials and others around the country who helped draft this legislation and look forward to their continued cooperation.

I urge my colleagues in both the House and Senate to join our delegation by cosponsoring this important legislation.

EL SALVADOR

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. SCHEUER. Mr. Speaker, last week I had the pleasure of meeting with Julio Garcia Prieto, an El Salvadoran union official. Mr. Prieto is the general secretary of the Union of the Coffee Industry, SICAFE.

SICAFE organizes workers who process coffee beans. These are workers who earn a minimum wage of less than 20 cents an hour. These are workers who vitally need a union to represent them. But, in El Salvador, agricultural unions are illegal.

And because they are illegal, Mr. Prieto must perform his valuable and courageous work in hiding. We know that if he did not hide, he very well might join the list of 45 SICAFE activists who have been murdered since 1980.

The Government of El Salvador's human rights record is abysmal, including under current President Cristiani. Our continued high levels of military assistance to these butchers makes a mockery of our Nation's commitment to human rights and democracy.

Mr. Speaker, the democracy we see today emerging in Eastern Europe did not emerge because we poured billions of dollars into SDI and the MX missile, it occurred because working men like Lech Walesa in Poland organized unions, rallied, fought, swam against the current, and—in the face of severe adversity and repression—triumphed in the name of freedom.

Last month, the Bush administration, ignoring these recent lessons from Eastern Europe,

denied Mr. Prieto a U.S. visa. Only after myself, Congresswoman PELOSI, and several of our colleagues—and American labor officials—stepped in, did the administration yield.

As a result of Mr. Prieto's visit, the United States Congress and the American people will have the benefit of his insight and counsel on El Salvador from the perspective of its working men and women. That is a major step forward that only can help the cause of peace and justice in Central America.

LA CANTINITA

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate La Cantinita restaurant for being cited by Hispanic magazine's first annual survey of the Nation's 50 best Hispanic restaurants.

La Cantinita which is located in Arlington, VA, is a prime example of how the Cuban-American community has combined ethnic heritage with American opportunity to excel in this great Nation.

Hard work and dedication to the principles of freedom have allowed the Cuban-American community in the United States to grow and prosper. The devotion to freedom by Cuban-Americans is great, and is exemplified by the many veterans who have proudly served this country in time of need, including Mr. Arnaldo Rodriguez, owner of La Cantinita, who is a Vietnam veteran.

I would like to applaud La Cantinita's owner, Mr. Arnaldo Rodriguez, for operating such a fine establishment and for the success that he has found in this country. His drive and accomplishments should be an inspiration to us all.

**COUNCIL FOR UNITY HONORS
FRANK J. DECUZZI, SANDRA
FELDMAN, WILLIAM D.
FUGAZY, AND CHARLES
HUGHES**

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. ACKERMAN. Mr. Speaker, as our country grapples with ways in which to combat serious racial problems, I would like to take this opportunity to recognize the successful efforts of the Council for Unity, Inc., in promoting cooperative multicultural relations. Founded in 1975, the council follows a philosophy that stresses the creation of a dialog among different religious, racial, and ethnic groups to alleviate intergroup tensions. The council has implemented many activities including multicultural assembly programs in elementary, junior, and senior high schools, conflict mediation and networking programs, and a senior citizen escort service that allows individuals to interact on a personal level. Once the individuals are working together the fear and isolation

that contributes to racial tension is replaced by trust and understanding.

At this time, it is appropriate for the council, an organization that facilitates cooperation among diverse groups, to recognize Frank J. DeCuzzi, Sandra Feldman, William D. Fugazy, and Charles Hughes for contributing so much of their time to enhance racial, ethnic and cultural harmony. On June 21, 1990, the council held its annual induction dinner dance to honor Frank J. DeCuzzi as man of the year, Sandra Feldman as woman of the year, William D. Fugazy as humanitarian of the year, and to present Charles Hughes with the leadership in labor award.

Over the last 31 years, Frank J. DeCuzzi has successfully risen through the ranks of the New York City Board of Education to the position of director of special projects in the Office of School Food and Nutrition Services. At the end of this month, Frank J. DeCuzzi will retire from his position and will be sorely missed. DeCuzzi has devoted a large amount of time and effort to numerous charities. He serves as vice president and a member of the board of directors of the Coalition of Italo-American Associations and as vice president and a member of the board of directors of the National Ethnic Coalition of Organizations. In addition, he has received many honors, including the 1985 Christopher Columbus Civic Association's "Man of the Year" award and a proclamation for outstanding citizenship by the city council of the city of New York. DeCuzzi has been honored by the Flushing Boys Club for his dedication and devotion to community youth. He also serves as a member of Queens Community Board 7.

Over the last 25 years, Sandra Feldman has risen through the ranks of the United Federation of Teachers, the largest local union in the United States, to the position of president. Sandra Feldman, a highly regarded authority in education in New York City, has served on many commissions, including her appointment by President Jimmy Carter to the congressional panel for the review of laboratory and center operations, the New York State Job Training Partnership Act Committee, and the New York State Child Care Commission. In addition, Feldman is actively involved in community and civic organizations, including the Center for Women in Government, the Organization for Rehabilitation through Training [ORT], and the League for Industrial Democracy.

William D. Fugazy, president of Fugazy International, has dedicated vast amounts of time and effort to numerous charitable causes. In recognition of his humanitarian efforts, William D. Fugazy has received many honors, including the 1989 Italian American Student Association's "Most Outstanding Role Model Award" and the 1986 "Man of the Year Award" given by John Cardinal O'Connor. In addition, Fugazy was appointed chairman of the New York Statute of Liberty Centennial Commission by Gov. Mario M. Cuomo, and in 1989 named honorary chairman of the Dr. Martin Luther King, Jr., National Holiday Celebration.

Charles Hughes, president of Local 372 N.Y.C. Board of Education Employees, has played an important role in the improvement

of New York City's education system. Hughes has been an important supporter of the policy of providing students in all New York City schools with at least two balanced and nutritious meals daily. In recognition of his humanitarian efforts, Charlie has received numerous honors, including the "Harriet Tubman Achievement Award" from the New York Chapter of the Coalition of Black Trade Unionists, the Congressional Black Caucus "Recognition Award," and the "Distinguished Services Award" from the New York State Black and Puerto Rican Legislative Caucus. In addition, Hughes was appointed to the New York City Youth Board and Commission on Black New Yorkers by former Mayor Edward I. Koch. He currently serves as a member of the Governor's School and Business Alliance Task Force and Mentoring Subcommittee.

Mr. Speaker, I call upon all my colleagues in the U.S. House of Representatives to join me in paying tribute to Frank J. DeCuzzi, Sandra Feldman, William D. Fugazy, Charles Hughes, and Council for Unity.

SUFFERING OF KURDISH REFUGEES IN TURKEY

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. PORTER. Mr. Speaker, Kurdish refugees in Turkey continue to suffer.

It has been almost 2 years since 70,000 Kurds fled Saddam Hussein's chemical attack. Tragically, they have been treated not much better in Turkey.

News reports indicate that Turkish refugee camps are in miserable condition, lack basic amenities and isolate Kurds from employment opportunities. Since Turkish authorities refuse to grant Kurds refugee status, they live in squalor. International efforts to build them permanent housing were canceled by the Turkish Government. President Ozal appears to want Kurds to return to Iraq. There they will undoubtedly face further persecution.

Mr. Speaker, Kurdish refugees in Turkey must be granted access to international refugee agencies and proper care. In addition, we must insist that Iraq, Iran, and Turkey respect fully the rights of their Kurdish citizens.

CREATING AN ACQUISITION WORK FORCE

HON. NICHOLAS MAVROULES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. MAVROULES. Mr. Speaker, as we all well know, defense acquisition reform is a perennial topic in Washington. Spare parts scandals erupt roughly once a generation. The \$100 hammer isn't really very new—or, now, the \$999 pair of pliers. Some people around this town will still remember the "Chamber of Horrors" created by Representative F. Edward Hébert when he was chairman of the Armed Services Investigations Subcommittee a quarter-century ago. He displayed a vacuum tube

for which the military had paid big bucks beside an identical tube he had bought up the street for just pennies. These spare parts scandals are interspersed with exposes of outrageous cost overruns. An historian has dug up the fact that the *USS Constitution*, the Navy's first warship, had a cost overrun of the magnitude of 175 percent.

So there's nothing new under the sun. Acquisition poses ageless problems that come back to haunt us with amazing regularity. With each new scandal, the public loses more confidence in the Pentagon and becomes more convinced that the military is acting irresponsibly with the taxpayers' money. The question is, what do we do about it?

Well, with each scandal that erupts, the Congress enacts a new set of laws. As Vice Adm. R.C. Gooding said, "The Congress continues to subscribe to the national fallacy that if one requires the generation of enough paper, one can thereby avoid technical and other problems and thus prevent nasty surprises." After the Congress legislates—and often, even when it doesn't—the Pentagon gets into the act and writes a new set of regulations. Then the bureaucracy levies a new set of recordkeeping requirements on contractors, making the process more and more cumbersome.

This, in my judgment, is treating symptoms. Government excels at treating visible symptoms. If the newspapers are dominated by tales of \$6,000 coffee makers, we will write enough rules, hire enough auditors, and force contractors to leap enough hurdles that we can guarantee there will never again be an \$6,000 coffee maker. Of course, in the process we may spend far more of the taxpayers' money than we save. And a few years later, we will have a new scandal—maybe a \$5,000 teapot—and so the cycle continues.

This year in Congress we are trying something fresh and hopefully unique. There is no new scandal that demands a bandaid this year. So, instead we will try to grapple with root causes. This won't be as dramatic or sexy as mounting a white charger and going after the day's headlines. But I have no doubt it will mean more for the future.

To be specific, Congressman LARRY HOPKINS, the ranking Republican on my Investigations Subcommittee, joined me today in introducing a proposal to create a professionalized acquisition workforce and corps within each of the military services and the defense agencies. This legislation is aimed at the people who make the acquisition system work.

In the past, we have focused our attention on just two elements of the defense acquisition system—the process and the structure. We have amended the laws to tell the people in the acquisition system what policies and procedures they should use to buy the equipment, and we have amended the laws to juggle the organizations that execute those policies. In other words, we have been merely shifting people from one organizational box to another. While these are obviously critical elements and may need additional focus in the future, it seems appropriate at this time to focus on the third element—the people themselves.

Historically, we have placed less emphasis on improving the quality and professionalism

of the defense acquisition work force. This seems to be shortsighted given that it is the people who make the process and structure work, not the other way round.

We clearly need to pay more attention to the people in the acquisition field. We need to train them better. We need to pay more attention to their career paths. We need to prepare them as professionals. We need to reward them for the important and critical functions they perform. A little TLC goes a long, long way.

With this emphasis, we are facing the fact that many of our acquisition problems can be traced back to inadequate oversight, poor decisionmaking and improper implementation of laws.

By addressing the people behind the acquisition scene, by improving their lot, we hope to be able to get a handle on the things Defense buys. No, we won't eliminate procurement scandals, but I believe we can reduce the volume of scandals and, more important, more qualified people should make for a more efficient acquisition system that will give us more bang for the buck.

I want to stress, however, that this legislation should not be viewed as the perfect solution to all our acquisition problems. We are simply targeting one part of the problem, but a major part that has been overlooked too long.

Now, where is this all leading us?

BRINGING CULTURAL CHANGE TO DOD

For years we have tinkered at the edges. Those of us who have been working acquisition issues recognize that the many approaches of the 1980's failed to achieve the cultural changes that are essential for making acquisition reform work.

For example, J. Ronald Fox, a professor of management at the Harvard Business School, wrote in 1974 that the "most far-reaching reform would be the establishment of a clearly defined procurement career field within the military, with senior procurement managers controlling assignments and promotions. Anything short of this will not resolve the continuing crisis in procurement management." Writing 14 years later in 1988, Fox observed that efforts to establish military career programs for program managers and procurement personnel had been resisted by the services. Fox, testifying before my subcommittee in April, further noted that reform efforts usually fade once the initiator moves on, and within a year or two the same set of problems resurfaces, indicating that little has changed.

I recognize that bringing about a cultural change can be a long, arduous task. What is needed—and I believe the time is now ripe—is candid and open discussion about root causes—to wit, what is wrong, what should be fixed, and how can we go about doing that?

BRITISH AND FRENCH ACQUISITION SYSTEMS

Prior to considering any proposal for improving the acquisition workforce, my subcommittee staff undertook a year-long review of the state of the acquisition workforce.

As part of our initial analysis, we looked at France and Britain. Why did we search abroad for answers to problems of a domestic nature?

First, in contrast to the way we currently do business, both France and Britain employ cen-

tralized acquisition organizations. The utility of these centralized organizations and their possible application in the United States has elicited considerable interest and debate. Second, both France and Britain have had experience with acquisition reorganization over the last 20 years. The rationale for their sweeping changes was to eliminate the duplication of weapons development efforts among the services, to reduce counterproductive service competition, to rationalize the process of deciding what would be acquired, and finally to achieve greater efficiency in acquisition.

It is rarely feasible to copy a foreign system outright. But often, it is possible to learn from their approaches and adapt certain features of their systems. There are three aspects of the French and British systems that are particularly important. They are:

First, a trained and professional body of acquisition personnel—in other words, smart people made smarter by the way you train them;

Second, a stable budget environment—in other words, you can't expect even geniuses to have rational plans if you keep snatching resources away from them; and

Third, "chains of command" that provide both authority and independence—in other words, once you've got smart people in the job and given them resources, let them get on with the job.

With regard to the third point, I am reminded of when Lyndon Johnson was asked if he was going to fire the individual responsible for mucking up one of his pet programs. Johnson is said to have replied: "Fire him! I can't even find out who the (expletive deleted) is."

Before progressing further, I wish to commend my colleague from Michigan, DENNIS HERTEL. He was in charge here. He led the pioneering efforts toward the creation of a professional acquisition corps and an independent acquisition organization.

Mr. HERTEL has long advocated the creation of a defense procurement corps under the Secretary of Defense to be a "hearable voice" on R&D and acquisition, along with the establishment of a defense acquisition management university to train the highest caliber personnel.

SUBCOMMITTEE STUDY

Looking at our own acquisition system, the subcommittee found that our current personnel system does have its problems. In part, these problems stem from the nature of the beast.

Too many people can say no, while too few can say yes with authority. We need to empower a few who can give a yes that will stick. The program managers—the people who head the offices buying the Abrams tank or the F-16 Falcon or the Aegis cruisers—whether civilian or military, either work for or belong to one of the military services. As such, they depend upon the military chain of command for promotion and other career rewards. In effect, the program manager is asked to apply sound business practices while at the same time answering to a superior whose primary interest is purely and simply the delivery of a weapon system. The same applies to contracting officers, the men and women with the authority to obligate the Government to pay contractors.

Giving these key officials greater independence, although they would continue to be an integral part of their military service, will make it more difficult for other Pentagon bureaucrats to exert undue influence as they now do. In the Army, it is said that division commanders have the authority to make it rain. Program managers also need the power to call up a rain shower now and then.

Good people at the top require good subordinates. Can we attract, train and keep the right people?

We recognize that character often is far more important than organization, procedures, or individual technical skills. But there is no way Congress can ever legislate standards of character for admission to the acquisition corps. So we will concentrate on their skills, their experience, their education, and their training.

As former Deputy Secretary of Defense David Packard said in 1983: "Major weapon systems are complex, they are large, they require advanced technology. We, unfortunately, have a system where we do not train and put the best management people in charge of these programs."

Certainly, there is never any guarantee that good managers will solve our problems. Indeed, good managers can make bad programs. But I am convinced that by improving the lot of the acquisition personnel, we will resolve many of our problems.

STUDY FINDINGS

Our year-long study showed major gaps in the acquisition personnel system. Here are a few things we've learned:

Half of all the people who work in contracting lack a college education. Historically, we have treated contracting as a "clerical" function, whereby one follows rules and regulations in rote fashion. The complexity of the acquisition process makes it virtually impossible to rely on rules and regs in every situation, however. We need people who can and will exercise their judgment when buying on behalf of the taxpayer.

The fragmented, scattered, and diffused training system requires 12 courses on contracting but none for systems engineering or logistics, although these are key drivers of equipment costs. A large part of the contracting workforce still remains untrained even after the establishment of mandatory courses 30 years ago.

The course designed to train management officials graduates five times as many people as will ever fill program manager slots. Yet, all three services have failed to fill program manager positions with graduates of this course, even though it is required by law. For example, less than a third of those assigned as program managers of major Navy systems have ever attended the course.

While the mix of civilians and military is varied among the services, no service has been in compliance with longstanding policies to appoint civilians to positions not requiring a military officer.

The turnover in program managers is too rapid. In 1984 we enacted a law requiring that program managers of major programs stay on the job for 4 years or until a major milestone was completed. The services have failed to comply with this tenure requirement. For ex-

ample, in all the services since 1984, only 6 of 94 program managers have served either a 4-year tour of duty or until a major milestone. Clearly, the executive branch is not being a responsible steward of the taxpayers' money when it runs executives through major programs so quickly they never have time to learn where the restroom is. Program manager assignments have taken on the aura of ticket punching as a short way station for careerists.

INDEPENDENT COMMISSION RECOMMENDATIONS

In light of the evidence, we must ask ourselves how we can address these people issues.

Actually, there should be little debate about the broad guidelines of what needs to be done. Since World War II, no less than six commissions have grappled with the problems of military acquisition and offered prescriptions to fix them. These commissions—including the two Hoover Commissions of 1949 and 1955, the Fitzhugh Commission of 1970, the Commission on Government Procurement in 1972, the Grace Commission of 1983, and the Packard Commission of 1986—have all recognized the need for competent, trained, and educated civilian and military acquisition personnel. Their recommendations have been echoed by many outside experts for more than four decades. The problem has been in implementing these recommendations. There has been plenty of talk and lots of paper, but there has not been a lot of action.

Now we have the Defense Management Review. Issued by the Pentagon in July 1989, the DMR picks up on some of the old recommendations. Quoting the Packard Commission findings, the DMR states: Compared to its industry counterparts, this work force is undertrained, underpaid, and inexperienced. Whatever other changes may be made, it is vitally important to enhance the quality of the defense acquisition work force—both by attracting qualified new personnel and by improving the training and motivation of current personnel.

Mind you, that is the Pentagon speaking, not some outside critic throwing brickbats.

LEGISLATIVE OUTLINE

After all this buildup, what do I propose? My intention here is to ensure that the sound, commonsense recommendations made by all those numerous commissions are, in fact, implemented. And I believe that legislation is needed to ensure that the changes we propose are institutionalized since you and I—and our friends at the Pentagon—might not be here tomorrow.

In developing this legislation, we talked with knowledgeable people in uniform, in the civil service, in the private sector, and in academe. We also talked to former civilian officials and retired uniformed officers.

Let me now outline the specifics of the legislation we are looking at.

We would require the Secretary of Defense to establish minimum education, training, and experience requirements for all acquisition positions.

We would direct the Secretary of Defense to establish a career management system within each military department for acquisition personnel.

At the senior levels of the acquisition workforce, we would create an elite acquisition corps, comprised of both military and civilian personnel—the senior 10 percent to 15 percent of the workforce—those individuals who by virtue of their expertise have achieved a certain rank or grade and who should be recognized as professionals in their own field.

We would direct that all critical acquisition jobs, requiring special qualifications, be held only by acquisition corps members.

We would require that all acquisition positions be filled by the best qualified individual—either military or civilian; no longer will civilians be shut out of senior jobs.

We would assure that military program managers and other senior acquisition officials be kept on the job longer than in the past to provide greater continuity of management and personal accountability, and at the same time encourage the rotation of senior civilian personnel so they get career broadening experience.

We would create a Defense acquisition university to be the center for all acquisition education, training and research, a focal point for acquisition excellence that will oversee instruction in the whys and wherefores of acquisition as well as promote research leading to improvements in acquisition management.

We would provide that the Pentagon's Under Secretary of Defense for Acquisition oversee acquisition workforce policies to ensure uniformity.

While we want separate Army, Navy, Air Force, and Marine acquisition corps, we do not want them flying off in separate directions. For that reason, our proposal would put the No. 3 man in the Pentagon, the Under Secretary of Defense for Acquisition, in overall charge. The USD(A), under the direction of the Secretary of Defense, must ensure that comprehensive career programs are established for the acquisition workforce—both civilian and military—within the Army, Navy, Marine Corps, Air Force, Defense Logistics Agency, and the other defense agencies. These career programs should include the elements of accession, education, training, experience, assignment, promotion and retention.

Within each military department, we envision a pyramid consisting of all acquisition positions. At the mid-level point, acquisition personnel may apply to enter the acquisition corps. As an acquisition corps member, they are eligible for the critical corps positions that are at the very top of the pyramid.

Among the key acquisition personnel, the service acquisition executive, or SAE, is the Government official in each military department overseeing the acquisition process.

Other key officers would include the program executive officers, PEO, and program managers, or PMs, who, along with the SAEs, comprise the backbone of the military departments' three-tiered program management chain. This corps would also include other key program management officials and senior acquisition personnel from service research and development and acquisition commands, contracting officers and critical service headquarters acquisition management personnel.

Among the key acquisition officials reporting to the SAE, none is more important than the

program manager who oversees the management of the weapons system acquisition. The PM needs to make tradeoffs among cost, schedule and performance, as technologies and requirements change.

I want to say here that some may suggest we are setting up a new bureaucratic monster, one that could create new complexities, rather than smoothing things out. There is even some concern that the acquisition community, already insular to a degree, may become more so. But I must stress that we are not proposing an independent acquisition workforce and corps outside the services as the French have done. Our workforce, with its leadership corps, will remain within each military department.

I have spent a lot of time discussing the broad philosophy behind our proposal. Now I would like to focus on three key areas that we will be addressing—experience, education and training, and tenure requirements—along with the appropriate civilian/military mix in personnel, mobility requirements and budget considerations.

EXPERIENCE NEEDS

In our current system, one outstanding problem is that too many people in the senior ranks don't have enough acquisition experience to be effective stewards of the billions and billions of dollars being spent on military equipment. They work at acquisition in one assignment and then are sent off to command a base or lead a battalion or solve some budget problem. Many of them are good, talented people. I have no intention of demeaning or belittling them. But I do intend to demean the system that puts these people in positions for which they are not properly trained and for which they lack sufficient experience. To address that, we would set up a professional acquisition corps and require that all key jobs be filled only by members of that acquisition corps. To become a member, military officers and civilians—we will treat them equally—would have to chalk up substantial experience exclusively in the acquisition area—including that with other agencies or private industry.

TRAINING AND EDUCATION

Another issue deals with training and education. In our report, we found that the training system is very fragmented and diffused. Training and education need to be taken more seriously, and managed coherently.

Inadequate training of program management and procurement personnel has frequently been the cause of costly acquisition deficiencies. Mandatory DOD training requirements for civilian contracting personnel date back to 1962. The military services, however, have traditionally paid minimal attention to these rules. A 1984 DOD Inspector General report found that 67 percent of the required contracting courses had not been completed by required personnel from the 24 activities reviewed. Today, a significant number remain untrained. How many? No one knows because currently the services are incapable of tracking the training records of their personnel.

We intend that the Under Secretary of Defense for Acquisition, through a director of acquisition career management, be responsible for establishing—and carrying out—additional mandatory education and training requirements.

To help get at the training problem, we would establish a defense acquisition university that would be responsible for all acquisition courses required for acquisition personnel. The university would provide centralized direction, operation, control, and accountability of the Defense Department's education and training program for all acquisition personnel.

We are not necessarily talking, however, about a new bricks and mortar university or a football team. We are talking about the guiding force behind a rational training program based on feedback from people in the field. Depending on how it is shaped by the Secretary of Defense, the university could be the intellectual centerpiece of the entire acquisition system—a place where seminars and thought-provoking meetings—intellectual ferment—can help to change the mindset, to bring about a lasting cultural change, throughout the acquisition system.

Education—one key element of professionalism—is of crucial importance in developing a quality acquisition workforce.

Specifically, to recruit civilians into the workforce, our proposal would direct the DOD to establish a program for recruiting college graduates. DOD would provide college education assistance through scholarship programs similar to the ROTC, a graduate degree program similar to that for active duty military personnel and reimbursement for course work of employees who go to school on their own time. Establishing a cooperative education program and an intern program are steps that we believe DOD should consider in its recruitment procedures.

We want professional people. That means we want the bulk of these people to have college degrees. They don't have to have degrees, but ought to. We would provide a standard for entry. That standard would include a college degree with 24 semester credit hours in the applicant's career field.

But what about those late bloomers who didn't go to college. Or the divorced mother of two young children who cannot take the time for those night courses, but who is a proven performer? For them, we would provide a test as a substitute and to demonstrate their capabilities. But I know of many people who are test-shy. They are brilliant performers and the kind of people we want, but tests aren't their bag. Again, we will provide the authority for the career management board to fully waive either of the entry standards—the college degree or 24 credit hour standards.

Recognizing that those with 10 years or more experience in the acquisition field generally have proven their ability to perform in their field, we have totally grandfathered these individuals.

We heard from many individuals in academia on the education provisions, and I appreciate their comments. Again, as I said education has a special place in our proposal but we don't want to just hustle people through paper mills or turn education into ROTC training. Dr. I.B. Holley, a history professor at Duke University had an especially noteworthy comment. Dr. Holley is the author of the magisterial study on Army aircraft procurement in World War II and a retired major general in the Air Force Reserves. He wrote: Educating

acquisition types is a good idea, but I very much fear the education will turn into training. Some of each, of course, will be necessary, but we won't get the broad gauge men and women of vision we need unless the corps stresses true education. This—requires a recruitment and selection process which is able to find and attract individuals with imagination, initiative, and intellectual energy as well as character—meaning of course those who don't need regulations to tell them what a conflict of interest is.

GREATER TENURE

The first point I mentioned was that the people leading the acquisition field need to be more experienced. The second point was that training and education need to be improved. The third point is greater tenure. There's simply too much turnover at the top.

For example, we looked back at the report of the Second Hoover Commission, which reviewed acquisition in the early 1950's. The Hoover Commission said one major problem was the program managers turn over far too rapidly. They weren't kept on the job long enough to do the job right. Too much turmoil at the top meant too much turmoil in programs that cost billions of dollars. Hoover said that in 1955. Fifteen years later, in 1970, David Packard, who was then Deputy Defense Secretary, saw that no one had paid any attention to Hoover. Packard ordered that the standard tour for a program manager be 4 years. But once Packard left office, the 4-year tour became history. Therefore, in 1984, Congress enacted legislation requiring that program managers for major systems be retained at least 4 years or until the program passed a major milestone, such as the shift from development into production. Yet when the investigations subcommittee looked at program manager tenure this past year, we found PM's average only 21 months on the job. Some cases are especially egregious. We found one program whose last three program managers spent, respectively, 14 months, 9 months, and 3 months on the job. Since we passed that law, as I mentioned earlier, only 6 of 94 program managers have served to a major milestone or for a 4-year tour—according to the Department's own figures. That simply isn't good enough. As Norman Augustine, chairman and CEO of Martin-Marietta, has stated, "We need multi-year people in acquisition."

I echo the sentiments of those who feel that continuity in key acquisition positions is essential. Shifting the leadership every 2 years, or less, does not give us the necessary continuity. Almost everyone who has reviewed this proposal agrees that tenure requirements are needed; some have suggested even longer time periods.

We have put teeth into the requirement that program managers serve longer. We would no longer require them to serve 4 years or until a major milestone has been reached. We would require them to serve until a major milestone and at least 3 years. In fact, we require a 3-year minimum assignment period for all critical acquisition positions.

CIVILIAN-MILITARY MIX

The acquisition corps in each service will include both military and civilian personnel. The best candidate will be chosen for open as-

signments; there should be no bias toward either civilians or the military.

In all stages, clear standards indicating the desired characteristics of corp members in terms of experience, education, and training, will be established and all who meet the criteria should be eligible for the job. In other words, this criteria should be neutral in terms of military and civilian personnel. We want the best people, with the right talents and the right motivation—be they military or civilian—to do the job.

The issue of the roles of military officers and civilian employees and their proper mix or ratio within the Defense work force has been recurrent throughout the history of the Defense Department. The Department established assignment policies in the 1950's which stated that civilians should be placed into positions requiring skills of the civilian economy and military officers should normally occupy such positions—for example, contracting positions—only if there is a legitimate military reason. We found that the services were completely ignoring this policy. Today, looking at the ranks of program managers, we must ask why so few are civilians.

The argument is made that no one should manage an aircraft program who doesn't know how to fly. That misses the point. No one should manage an aircraft program who doesn't know how to manage. That's the key.

As Ronald Fox stated in his April testimony before the Investigations Subcommittee:

It is obvious that a program manager cannot be assigned as a wing commander without years of carefully programmed flight training and experience. By the same token, a pilot cannot manage effectively a complex industrial program without extensive experience and carefully programmed assignments in the acquisition process and in industrial cost control.

We heard several war stories that described what happens in these cases. One commentator wrote the subcommittee about his friend who is a major in the Army:

His specialty is armor. His subspecialty is contracting. Just last summer we visited and he commented to me that soon he would be assigned to a procurement office for a tour of duty. He then confided that he knew absolutely nothing about contracting! Yet he will be required to make decisions over individuals (civilians) who have been working in the activity for years.

Still, many officers with whom we have spoken feel very strongly that exposure to the operational environment is essential. I don't dispute that. But, as retired Air Force Gen. Lawrence Skantz suggested, "This could be done adequately by simply placing a military or civilian acquisition work force member for 6 months with an operational unit, say with a Tactical Fighter Wing or Avionics Maintenance Squadron."

The goal is to put better trained, more experienced managers into the top acquisition jobs. The pilots, the seamen, the tank drivers, and the other users are an essential part of any procurement. But their skills should not be confused with that of the manager of the acquisition process.

MOBILITY

The military has long been biased against civilian personnel because civilians are per-

ceived as less receptive to change. Unlike military personnel, civilians tend to remain in one job longer. Furthermore, civil servants are harder to remove if they are not performing effectively, nor do they have the broad, well-rounded experience that the military looks for in its personnel. In this respect, we can counter the bias against civilians by encouraging a policy of mobility for civilians.

To prevent stagnation and bureaucratic entrenchment, we are proposing that civilians in key acquisition positions be reviewed for rotation every 5 years. If the needs of the organization warrant, the individual will be asked to move to a new assignment. This may not actually be a physical geographical move, but merely a reassignment from one division to another in the same location. We recognize that exceptions must be considered, but feel that a general expectation of mobility is essential. While in some cases long-term continuity is reasonable and even desirable, by and large periodic rotation should be considered essential.

I believe this concept is philosophically sound, and is in fact, used often in the private sector. We recognize, however, that this could discourage many capable people from pursuing careers in acquisition simply because the Government pays a fixed salary regardless of whether a person is sent to a high- or low-cost area. We try to address this issue with a variable housing allowance, similar to the VHA provided to military personnel, that will be adjusted in line with housing costs around the country.

BUDGET IMPACT

Those are the changes we are proposing. In the current budget environment, it is fair to ask what all of this will cost. Many aspects will add nothing to our budget tab. For example, we do not propose to establish another layer of bureaucracy on top of the existing layers. What we propose are small, well-run organizations within the office of the Secretary of Defense and the military departments, staffed from existing personnel who currently are all too often engaged in check-mating each other's work. These organizations will have access to the senior acquisition officials within each Department and will use data systems to monitor, evaluate, and report on the effective implementation of the acquisition personnel enhancements we are proposing.

We are requiring that the Department of Defense develop and use data systems to manage the workforce. This only makes sense and is in line with what several Secretaries of Defense have sought to accomplish. Cost should be minimal because each service is currently developing data systems.

There could be significant cost increases in the personnel accounts for variable housing, education assistance, et cetera. This fact is undeniable and must be addressed head on. However, the costs involved must be compared to the benefits that accrue. We could spend tens of millions of dollars on housing, education, moving costs, and the like—but if we improve management only so much as to save one-half of 1 percent of current procurement outlays, we could save \$600 million a year—which is conservatively 10 times the most this bill will cost. Acquisition personnel

are really unique in government in that an investment aimed at improving quality offers payoffs of truly immense proportions.

The budget decline expected with the end of the cold war does not mean acquisition is any less important. On the contrary, acquisition reform is even more important as defense budgets tighten and fiscal constraints force the Congress and executive branch to make ever harder spending choices.

In his testimony to the Investigations Subcommittee, Norm Augustine succinctly summed this up: "As we learn how to manage peace, the need for a highly qualified and professional acquisition workforce has never been greater."

CONCLUSION

These are the highlights of the philosophy that is behind our legislation. It would aim to create a very professional acquisition workforce and its leadership corps in each of the military services. We want that acquisition workforce and corps to be respected and seen by everyone—inside the military, within the business community, and among the public at large—as an outstanding group of identifiable professionals who are responsible and able stewards of the public's funds.

The 240,000 persons who are currently part of the acquisition workforce oversee the procurement of more than \$120 billion in military goods and services each year. Even accounting for the huge budget cuts we anticipate this decade, we will still be talking about a procurement system that is larger than the GNP of all but a handful of nations.

This demands skills that stem from professionalism, from education and solid training, and from substantial work experience. This is the goal we are pursuing.

This is a proposal of historic proportions that should result in a cultural change in the way the Department of Defense approaches acquisition. No longer would acquisition assignments be made as rewards for performance in unrelated fields, or for officers who want to civilianize their résumés. No longer would key acquisition assignments, such as program managers, be given to amateurs or dilettantes. Only qualified professionals would be allowed to hold key acquisition jobs. They would be appointed by the individuals responsible for acquisition in the Department of Defense and their performance would be evaluated by these same people.

Despite the far-reaching nature of this legislation, what we have proposed should not be startling or esoteric: It is really based on common sense and sound management principles.

Improving the Defense Department's acquisition process is one of our country's most pressing national security problems. By addressing the people issue, we take a big step in that direction.

BONDS FOR NON-VESSEL-OPERATING COMMON CARRIERS

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. JONES of North Carolina. Mr. Speaker, today I introduce a bill to provide for the bonding of non-vessel-operating common carriers, and for other purposes.

The Shipping Act of 1984 ("1984 act") defines a "non-vessel-operating common carrier" [NVOCC] as " * * * a common carrier that does not operate the vessels by which the ocean transportation is provided, and is a shipper in its relationship with an ocean common carrier." 46 U.S.C. app. § 1702(17). NVOCC's hold themselves out to the public to provide common carriage. They generally consolidate the shipments of small shippers and take advantage of full container rates that are offered by ocean common carriers. NVOCC's assume full responsibility for the shipments that they handle and issue bills of lading to the underlying shippers.

Although NVOCC's act as intermediaries like ocean freight forwarders, unlike forwarders, NVOCC's are not licensed or bonded by the Federal Maritime Commission [FMC] or otherwise subject to any restrictions on entry. However, as common carriers, NVOCC's are subject to the tariff filing requirements of section 8 of the 1984 act, 46 U.S.C. app. § 1707, and to the prohibitions set forth in section 10 of the act, 46 U.S.C. app. § 1709. There are approximately 1,450 NVOCC's operating in the U.S. foreign commerce.

Over the past several years, the FMC has received an increasing number of complaints concerning the activities of NVOCC's. During fiscal year 1989, the FMC's Office of Informal Inquiries and Complaints dealt with 61 informal complaints about NVOCC practices. The complainants included representatives from many segments of the ocean transportation industry—shippers/importers, ocean freight forwarders, ocean common carriers, terminal operators, and ports. Their complaints reflected an increasing pattern of unlawful conduct by NVOCC's that has had significant adverse impacts. These problems are often exacerbated by the fact that many NVOCC's lack tangible assets.

One of the recurring problems is the situation where a shipper prepays freight charges to an NVOCC, but when the consignee attempts to obtain release of the cargo, it discovers it must first pay the ocean carrier because the NVOCC has failed to do so. In other instances, NVOCC's have gone bankrupt and shippers or consignees have had to pay duplicate charges to obtain release of cargo. NVOCC bankruptcies have also affected ocean carriers and inland carriers who are owed money by such NVOCC's. In addition, ocean freight forwarders have indicated that NVOCC's have failed to pay them compensation for their services.

A bonding requirement for NVOCC's should ameliorate most of these problems. A bond, obtained through an acceptable surety company, would be available to pay any judgment for damages arising out of an NVOCC's activi-

ties as a common carrier providing ocean transportation services. The bond could also be used to satisfy any order of reparations issued pursuant to section 11 of the 1984 act. Consistent with an NVOCC's status as both a shipper and a carrier under the 1984 act and its relationship with ocean common carriers and underlying shippers, the bill would protect all who are injured by an NVOCC's activities. Shippers who rely upon NVOCC's would be primarily protected, but so also would ocean carriers, and others involved in ocean transportation system.

The bond would also be available to satisfy any penalty assessed against an NVOCC pursuant to section 13 of the 1984 act. All too often the FMC has initiated proceedings against an NVOCC, found that violations of the act have occurred, assessed appropriate penalties, and then had to engage in lengthy, resource intensive efforts to collect those penalties. Permitting the FMC to move against the bond will make its enforcement efforts much more effective and efficient.

The bill sets a minimum amount for an NVOCC bond—that is, \$50,000. The FMC can set a higher level after notice and comment rulemaking. It will have the continuing flexibility to adjust the level of the bond as changing circumstances warrant.

In an effort to achieve parity of treatment, the bill will affect all NVOCC's operating in the U.S. foreign commerce. This will include a larger number of NVOCC's who are foreign-based but who are presently subject to existing tariff filing requirements. They will also be required to obtain a bond from a surety found acceptable by the U.S. Department of the Treasury.

The bill does not contain distinct penalties for noncompliance. Inasmuch as the bill provides for an additional section to the 1984 act, the penalties set forth in section 13 of the act, 46 U.S.C. app. § 1712, will apply to any violation of the instant provision or of any regulation issued thereunder. This would result in a penalty of not more than \$5,000 for each violation unless it was willfully or knowingly committed, in which case the amount of the penalty would be not greater than \$25,000 for each violation. In addition, the bill would amend the 1984 act so that the FMC can suspend or cancel an NVOCC's tariff if it fails to maintain the requisite bond or does not designate a resident agent for service of process. As is the case with an ocean freight forwarder's license under section 19(b) of the 1984 act, the FMC will be able to suspend or cancel an NVOCC's tariff without a formal hearing.

The bill also adds new prohibited acts to section 10 of the 1984 act. Ocean common carriers will be prohibited from accepting any cargo from or transporting cargo for the account of an NVOCC that is not bonded or does not have a valid FMC tariff on file. Similarly, ocean common carriers will be prohibited from entering into service contracts with NVOCC's who are not bonded or are unaffiliated. This includes not only service contracts in which an NVOCC is the signatory shipper but also contracts in which an NVOCC is listed as an affiliate. As a result, ocean carriers will need to ascertain whether an NVOCC seeking its services is indeed bonded and tar-

ified. Appropriate procedures could be established by the FMC to facilitate the carriers' ability to meet this requirement. The refusal of vessel space to NVOCC's who are not bonded or fail to file tariffs should serve as a significant incentive to comply with the requirements of the act.

The bill also amends section 13(b)(1) of the 1984 act so that the FMC can suspend an NVOCC's tariff for violation of section 10(a)(1) of the 1984 act. If an NVOCC engages in rebating activity in its capacity as a common carrier, its tariffs can presently be suspended pursuant to section 13(b)(1). The amendment simply accords like treatment to an NVOCC who engages in rebating activity in its capacity as a shipper.

Because a larger number of NVOCC's are located overseas, the bill requires such NVOCC's to designate a resident agent in the United States for service of judicial or administrative process. This will permit the FMC and others to initiate and conduct proceedings, including the service of subpoenas and other legal process, against foreign-based NVOCC's without the obvious difficulties inherent in attempting to effect service of process overseas. This should serve to assist the FMC in its regulation of the NVOCC industry.

COMMENDATION TO FLORIDA INTERNATIONAL UNIVERSITY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased today to recognize Florida International University in Miami, FL, which recently underwent reaffirmation of its accreditation and was proclaimed to have one of the finest self-study documents involved in reaccreditation.

Dr. Modesto (Mitch) Maidique is to be commended for leading the charge toward excellence. FIU continues to strive to become one of the country's truly outstanding public universities. It is accomplishing this by recruiting professors who are at the top of their field, such as Dr. Joyce J. Elam, a James L. Knight eminent scholar, who will be joining the Department of Decision Sciences and Information Systems as the endowed chair in the College of Business Administration in August and the renowned documentary filmmaker, Frederick Wiseman, who has been named the first Edna Gene and Jordan Davidson eminent scholar of the humanities.

Additionally, in April, the new FIU-Health and Rehabilitative Service [HRS] Professional Development Center at North Miami was dedicated and will serve as a training center in the child welfare and juvenile delinquency fields.

Furthermore, FIU's outstanding achievements have been recognized by Florida's best high school students. These students named FIU as 1 of their top 10 choices. In fact, an even greater number of exceptional students will be attracted to FIU as the new interdisciplinary Honors Program is initiated in the fall of 1991.

Due to all these recent achievements, I would like to commend Dr. Maidique and the

following Florida International University Board of Trustees officers for their continued progress and commitment to excellence in education: Alvah H. Chapman, Jr., chairman; Albert Morrison, Jr., vice chairman; Patricia Frost, secretary; Graham W. Denton, Jr., treasurer; Maryellen Canfora, assistant secretary; and Ronald G. Arrowsmith, assistant treasurer. Also to be commended are the following board of trustees: Neal O. Amdur, Carlos J. Arboleya, Jose I. Astigarraga, Victor E. Clarke, Robert H. Coords, Patricia L. Crow, Carlos M. de la Cruz, Sr., Graham W. Denton, Jr., Albert E. Dotson, Carlos Fernandez, Patricia Frost, Susan Gilbert, H.C. [Buddy] Henry, Jr., Sherrill W. Hudson, David S. Kenin, Cal Kovens, Morris Levitt, W. James Orovitz, David R. Parker, David L. Perlman, John E. Porta, Alan H. Potamkin, Lewis Schaffel, Theodore Spak, Amancio V. Suarez, R.E. [Bob] Tallon, Parker D. Thomson, Sherwood M. Weiser, Norman R. Weldon, Seth Werner, Herbert A. Wertheim, Richard F. Wolfson, and Juan A. Yanes.

CONGRESSMAN KILDEE HONORS DAVID E. SMITH

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues in the U.S. House of Representatives to join me in paying tribute to an outstanding resident in my congressional district, Mr. David E. Smith.

Mr. Smith was recently named Michigan's Outstanding Disabled Veteran of the Year. He was honored at the Michigan Disabled American Veteran State Conference on June 9, 1990. Mr. Smith has been recognized for his inspirational efforts on behalf of other disabled veterans in Michigan. He is a member of the DAV Genesee Chapter 3 in Burton, MI, and he has been active in the DAC for 14 years.

Mr. Smith is a Vietnam-era veteran who became disabled as a result of severe rheumatoid arthritis while serving with the 1st Armored Division at Fort Hood, TX, in 1965. He continued to work as a sergeant in the communications division and eventually was assigned to build a signal unit utilized in Vietnam. During his work on the signal unit, Mr. Smith's disability became so severe he was issued a medical discharge. Soon afterward, he began his service with the DAV.

It was this same selfless dedication to service that has led to his success in service to others in the DAV. He has endured 14 surgical procedures during his tenure with the DAV, but after each procedure he returned with renewed enthusiasm for serving his fellow veterans. He has proven there are no insurmountable challenges in this life. Throughout painful surgical procedures and recuperation periods, Mr. David E. Smith has maintained his commitment to assisting his fellow veterans. Mr. Smith has served as the DAV chapter's service officer for the past 7 years. He now serves as the chapter's senior vice commander.

Mr. Speaker, it is indeed an honor and a pleasure to pay tribute to a true hero, David E.

Smith. He has shown tremendous courage in facing difficult situations and overcoming obstacles in his efforts on behalf of Michigan veterans. I know the entire U.S. House of Representatives joins me today in honoring this fine American, David E. Smith.

IN HONOR OF LETTER CARRIER JAMES KINNEY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. GILMAN. Mr. Speaker, recently a letter carrier from Yonkers, NY, rescued three people from a fire. James Kinney was making his daily postal rounds when he saw flames coming from a New Rochelle apartment building. Despite the obvious danger, he entered the building and saved the lives of an infant and two elderly residents.

Mr. Kinney is truly a hero and a great source of pride for the U.S. Postal Service. He was commended for his bravery by the East River Savings Bank and Congresswoman NITA LOWEY soon after the event, but I do not feel that was enough. It is rare that anyone goes so far beyond the call of duty, putting their life in jeopardy for the sake of others.

Mr. Speaker, in order to share this courageous deed with my colleagues, I request that the full text of the article that appeared in the May 1989 issue of the Westchester Postal Press regarding Mr. Kinney's heroic actions be inserted at this point in the CONGRESSIONAL RECORD. Jim Kinney is an American civil servant we can all be proud of.

[From the Westchester Postal Press, May 1989]

I'm No Hero . . . I Just Did What I Had To Do.

James Kinney, a New Rochelle letter carrier . . . who in the best tradition of the United States Postal Service saved three lives from a burning building on March 11, 1989 . . . while making his daily rounds at 45 Charles Street in New Rochelle.

Kinney, 32, saw raging flames and rushed into a wood frame building to rescue an infant from the second floor and help two elderly residents to safety from the smoke-filled structure before picking up his mailbag and continuing on his way to complete his route.

More than two-dozen firefighters converged on the burning apartment house within minutes after the blaze was reported.

By the time the blaze was declared under control nearly three hours later, only a charred shell remained and at least twenty people occupying six apartments in the 3-story building were left homeless.

The cause of the fire remained undetermined, although New Rochelle's Deputy Chief William Stone said it was thought to be accidental.

Tenants and neighbors said letter carrier James Kinney of Yonkers had to dodge flames when he raced to the smoke-filled second floor of the building to make his daring rescue. Kinney said he was "just doing my regular rounds" when he spotted flames on the third floor of the building. "I was one of the only ones outside to see it flame up," he explained. "I heard glass

shatter, exploding from the heat and the flames that was coming out of the top floor."

Kinney said he hesitated for a second before going in. "I didn't know how dangerous it was or if anyone was inside," he said. "I'm engaged to be married in October, and you never know what may happen to you when you're trying to help others in a bad situation."

But Kinney said he made up his mind to go into the building as soon as a neighbor told him she thought people were inside.

"A lady came up and said her baby was in there. Something told me I had to go in, even though I didn't want to. It was a strange feeling," he explained.

Kinney said he ran to the second floor, informed a family the building was on fire and carried the infant to safety.

On the way out he helped two elderly residents who had trouble descending the stairs. "The floor above was burning and the people I helped outside hadn't really known that there was a fire," Kinney said. "I told them come on, you have to get out now, right now."

Once outside, he said, he looked back and saw that the fire had begun to spread to other floors. But with the tenants all safe, his mind turned to other matters. "I still had about a dozen houses to do, and so I got my mailbag and finished my rounds, so I'd get back to the post office on time," he said. "After work, I went back to ask if everyone had gotten out safely."

"But I'm no hero," he quickly added. "I just did what I had to do."

A tenant who lives on the second floor had only words of praise for Kinney. "That mailman is a real Samaritan. He came and told us there was a fire and helped us out of the building. I can't thank him enough," she exclaimed. "When we got out, the building was in flames. It went up just like an inferno."

Kinney said a man who operates an electrician's business across the street called the Fire Department and helped the letter carrier evacuate two elderly people from the burning side of the second floor.

A third floor tenant said he was in his apartment when Kinney alerted his family to the danger. "My daughter smelled smoke, then it began coming through the walls and the floorboards," he said.

"Our regular postman, Jimmy, he came in and got us and helped us out. We just got downstairs and out as fast as we could," he said.

Another tenant related his close brush with the fire. "As I emerged from the bathroom, I noticed flames racing up the walls of my third-floor apartment. He said he tried to douse the flames with a bucket of water before he fled with his 4-year-old."

In recognition for his heroism, the East River Savings Bank, a division of the River Bank America, honored Carrier Jim Kinney at the New Rochelle Post Office on March 30, 1989. In presenting a plaque to Postmaster Henry Iarocci, East River's Westchester Regional Manager Kathy Mazzillo said, "Mr. Kinney's exemplary act was in the best tradition of the United States Postal Service. The Bank is pleased to pay tribute on behalf of a grateful community." Mrs. Mazzillo was joined in the ceremony by Joseph Charla, Executive Vice-President of the Bank. Jim was additionally presented with a Passbook Savings Account with a \$500 deposit. The plaque commemorating his courage will hang in the rotunda of the New Rochelle Post Office main lobby.

Congresswoman Nita Lowey, D-20th District, Harrison, gave Kinney a Certificate of Appreciation for outstanding community service, saying "It's individuals like you who make our community stronger—ones who have integrity and character and a real commitment to people."

Kinney said that things are back to normal, except that friends and strangers alike often congratulate him. "Comments from people always surprise me, and then I think, wow, I really helped people. It's a little overwhelming and wonderful. Jim has been a letter carrier in New Rochelle since April 1983. He is involved in the Yonkers Police Athletic League, Golden Gloves boxing competition, and he belongs to the Army Reserve."

PLAYS FOR LIVING

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. GREEN of New York. Mr. Speaker, I rise today to call the attention of my colleagues to "Plays for Living" [PFL], which maintains its national headquarters in New York City. That organization strives to give a voice to compelling social problems by developing plays about acute family and community issues.

Since the group was organized almost 50 years ago, PFL has performed over 70 plays involving such topics as AIDS, teen pregnancy, and illiteracy. Each half-hour drama is written by a professional playwright and tested before target audiences. Each play is also open-ended so that the audience may actively take part in a postperformance discussion. The dramas are used by schools, corporations, correctional facilities, and civic organizations as valuable aids in communication, training, and education.

Plays for Living dates back to World War II. Some of the favorite plays performed since that period include: "Ever Since April," "The Man Nobody Saw," and "How Was The Trip." In 1960, "Ever Since April" was performed before the White House Conference on Aging because of its topic of compulsory retirement. "The Man Nobody Saw" dealt with racial discrimination while in a courtroom setting. In 1978, "How Was The Trip," a play about drug abuse, was performed four times before the U.S. Department of Health, Education, and Welfare in Washington, DC.

Once again, I should like to join my colleagues in recognizing all those individuals involved with "Plays for Living" for 50 years of dedication to the critical issues confronting our Nation.

A MASON MEETS SOLIDARITY

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. BROOMFIELD. Mr. Speaker, in the latest copy of the Scottish Rite, fellow Mason Hyde Murray (32°) wrote an article about his meeting with the new Solidarity members and

staff of the Polish Parliament. Mr. Murray is now Assistant Director, National Affairs, American Farm Bureau. However, he is well known in Congress since he served the House of Representatives for 30 years, 20 years as counsel and minority staff director of the House Agriculture Committee and 10 years as minority counsel of the House. I am sure my colleagues will find his article of interest.

A MASON MEETS SOLIDARITY

Recently some of the new Solidarity members and staff of the Polish Parliament were in our country to meet with American business, labor and government leaders.

While in Washington, DC, they also attended a special course on Congress designed and presented by Congressional Quarterly (CQ), a private Washington-based think tank that specializes in reporting and teaching about the way our government functions.

This course was designed to help our foreign visitors understand the theoretical as well as the practical aspects of governance in our democratically pluralistic country. As it turned out, I was one of the instructors for this course. When I got a call from (CQ) asking me to conduct a session on "Leadership in the House of Representatives," I was both flattered and awed.

I was flattered to be asked to participate in the making of modern history—of meeting and greeting some of the people who pushed the first domino of freedom in Eastern Europe, thus causing more dominoes of opportunity and enterprise to tumble all the way to that bastion of Marx, Engels, and Lenin, the Soviet Union itself.

I was even more awed, however, by the realization that these people were listening to and learning from Americans like me about how our government and society function so that they could apply some of those lessons back home.

Of course I said I would participate! What a wonderful opportunity to tell about our constitutional system, the best on earth!

I soon found, however, that a nagging set of questions began to arise in my mind.

What should I emphasize about our Congress?

How much time should I spend on the people who framed it?

How much detail would they be able to absorb about the current House leadership and the roles they play in our national legislative drama?

And most of all, what values, ideals and ideas are so vital and durable that they would apply in Warsaw just as well as in Washington?

How would you answer these questions?

As Masons we believe in our constitutional system with its federated strength tempered by those twin insurance policies of freedom: the Bill of Rights and the doctrine of Separation of Power.

As Masons we know that freedom is not a gift from government; it is a gift from God.

And as Masons we know that kindness, respect, gentleness, patience and tolerance are the essential, if unwritten, elements of a democratic society.

About this time, a new set of haunting questions echoed in my heart from thirty years in that pragmatic political arena known as the House of Representatives, where the idealists and the altruists are continuously contested by the cynics and the selfish.

I reflect on our very own Constitution hammered and drawn a bicentennial ago in

Philadelphia, only four years before Poland adopted the first written constitution in Europe.

As great as it was, our Constitution was flawed. As Thomas Jefferson would later observe on the festering issue of slavery, the nation "had a wolf by the ears," and it could neither "hang on nor let go."

Perhaps that could be a lesson to our friends in Poland just awakening from a 200-year constitutional sleep: don't expect perfection at the beginning.

Clearly, Poland's road to democracy won't be easy either. Even through the Solidarity movement swept the recent elections for the senate, the Communists still hold a majority in the Sejm (the lower house) and they control the key ministries of Internal Affairs, National Defense, Foreign and Economic Relations and Transport. In addition, the President is a Communist who holds broad parliamentary powers. And on top of that the current economic problems in that country are truly staggering.

So then you ask, what words of wisdom did I share with our Polish visitors?

First of all, we dissected the concept of political power into its three components—compensatory, condign and conditioned—and how legislative leaders use these forms of powers in the House of Representatives. Compensatory power is the power of reward combining the power of recognition and the power of financial gain.

Condign power is the power of force. Mao Tse Tung said "all political power comes out of the barrel of a gun," but then what did he know about democracy?

Finally, conditioned power is the power of persuasion, philosophy, religion, and reason.

Of these three forms, one could fairly observe that in the U.S. Congress, the leaders use the latter form the most. They are, after all, peers representing the same numbers of constituents. Rewards and "armtwisting" are not unknown, of course, but eventually a leader's influence comes down to his or her ability to persuade and convince one's peers.

Another observation I shared with our Polish visitors concerned the three roles legislative leaders must fill.

First, they must represent their states and district. Their home constituency is the source of their power in Washington and "oldtimes there are not forgotten" without great political peril to an incumbent.

Second, they are part-time partisans and leaders of their political parties, and in some cases they even act as national spokesmen.

Finally, they face an institutional obligation to defend the prerogatives of a free and unfettered legislature. That means they are the executors of our constitutional legacy of separation of powers and defenders of the speech or debate privilege lodged solely in the Congress under our Constitution.

As you know, and I hope our Polish visitors saw, all three of these roles are difficult to play, but it is axiomatic that leadership always faces difficulty.

And speaking of leadership, I shared with our visitors these eight characteristics of good leadership which are based on observation made during my three decades on Capitol Hill.

A good leader:

1. Has a goal, a plan, an objective, and serves some cause bigger than himself.
2. Recognizes realistically both has resources and his limits.
3. Has a touch of charisma, mystery and aloofness (but not too much so as to lose the common touch).

4. Has the ability to persuade, to inspire and to motivate others.

5. Has high skill in the arts of politics, both substantive and procedural.

6. Has courage, character, firmness, unselfishness and even a willingness to self-sacrifice if necessary.

7. Has the communication skill of speaking well and listening even better.

8. Finally, he cares about his followers and supporters and always remembers that loyalty flows both up and down.

As I cited these eight characteristics, I couldn't help but think to myself how germane and how hazardous some of them must be to the Solidarity leaders as they edge their country out of the shadow of totalitarian tyranny, how remarkable it is that the human spirit has an unquenchable thirst for freedom, and how fortunate we are indeed to live in a place called the United States of America.

That's how this Mason met Solidarity.

A TRIBUTE TO TEMPLE BETH RAPHAEL'S 25TH ANNIVERSARY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to pay tribute to Temple Beth Raphael of Miami Beach, FL, on its 25th anniversary.

Rabbi Ralph Carmi of Temple Beth Raphael will also be observing his 40th year in the Rabbinate in addition to his 40th wedding anniversary with his wonderful Rebetzin, Rosalie Carmi.

On Sunday, December 16, 1990, Temple Beth Raphael will honor Rabbi and Mrs. Carmi as well as their own temple with a testimonial dinner at the Royal Hungarian in the Cadillac Hotel. The temple is also honoring the triple Simcha with a souvenir journal whose proceeds will be used to make improvements on their honored synagogue building as well as finance some religious, educational, and social programs provided by the congregation.

I congratulate and hold deep respect for the Rabbi and Mrs. Carmi, as well as Temple Beth Raphael and its congregation who are being honored. May they have continued success.

A TRIBUTE TO JOSEPHINE SALGADO

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. DYMALLY. Mr. Speaker, I would like to extend a warm birthday wish to a very special lady, Ms. Josephine Salgado. She will turn 80 this month.

Josephine Salgado was born in La Puente, CA on June 22, 1910. She attended and graduated from Puente Union High School. She is the widow of Frank Salgado, who died in December 1974.

Josephine and Frank were active in the Los Angeles County Foster Care Program for over 20 years. They graciously provided a home to more than a dozen foster children; who, inci-

dentally, still refer to her as "Mom" and their children call her "Grandma." For the past 15 years she has been an active member of the United Friends Senior Citizens Club at Salazar Park in Los Angeles.

Josephine's hobbies include reading, traveling, and watching the soaps on channel 7.

Josephine and Frank also raised two daughters, Helen Salgado and Diane Sandoval, as well as two nieces, Mary Louise Saldaña and Amanda Ruiz. Josephine has one granddaughter, Michele Sandoval, who is currently attending Loyola Marymount University.

ROBERT SPICER'S ART

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. SUNDQUIST. Mr. Speaker, I want to call the attention of this House to a gentleman from my district whose contribution to traditional folk dancing has won him national recognition.

Robert Spicer of Dickson, TN, was recently named 1 of 13 recipients of a National Heritage Fellowship. These fellowships honor master practitioners of America's traditional arts. Mr. Spicer, who is 69 years young, is a prize-winning buck dancer and dance caller, who has taught literally thousands of Tennesseans these traditional dances.

Buck-and-wing dancing, as this art is properly known, is a solo tap dance with sharp foot accents, springs, leg flings and heel clips. I'm told it was adapted from a blend of Irish and black clog dancing. Mr. Spicer has been at it since 1928.

I want to congratulate Mr. Spicer on this very significant honor, and I took forward to welcoming him when he comes to Washington in the fall to receive his fellowship.

AN ARTISTIC DISCOVERY

HON. BOB CARR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. CARR. Mr. Speaker, today we honor the winners of "An Artistic Discovery," our ninth annual high school art competition. These student artists epitomize the excellence which we are striving to achieve in the arts and in education in America.

We are celebrating the incredible talent and potential that young artists from all across America possess. In these artworks, we can not only appreciate the tremendous talent which young artists have but gain a special insight into our young people's thoughts and visions.

During a time when funding for the National Endowment for the Arts has fallen under close scrutiny, here today we can actually see the positive effects of support for the arts. Congress can be proud of this bipartisan effort to foster opportunities for arts and education. Throughout the country, elementary and secondary school students are learning to

appreciate the arts and to use them as a tool for analyzing the past and preparing for the future.

There are a number of people who have worked hard to make "An Artistic Discovery" such a success. This has been a bipartisan effort by many Members of Congress and staff. Together we recognize the importance and value of encouraging young artists. We are honored to have with us today Martha Plimpton and Christian Slater, two of our most popular young film stars, who exemplify that artistic success can come at a young age with hard work and dedication. To George White, Architect of the Capitol, we extend our thanks to his staff in facilitating this professional exhibit. Also, we would like to recognize General Motors for providing both resources and encouragement.

Finally, and most importantly we wish to thank the students, teachers, and parents who helped make "An Artistic Discovery" a truly great celebration of the creative spirit of today's young people.

ADDED COSPONSORS

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. FALEOMAVAEGA. Mr. Speaker, yesterday, House Joint Resolution 577, which designated November, 1990, as National American Indian Heritage Month, passed the House of Representatives. I was the sponsor of the resolution.

Congresswoman JILL LONG, and Congressmen ROBERT WISE, DAVID BONIOR, and FLOYD SPENCE wished to be cosponsors of the resolution, but were inadvertently omitted from the list of cosponsors. This was an error on my part and I wish the CONGRESSIONAL RECORD to reflect their desires to be included as cosponsors.

THE 90TH ANNIVERSARY OF MOSAIC LAW CONGREGATION

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. MATSUI. Mr. Speaker, it gives me great pleasure to congratulate the Mosaic Law Congregation on its 90th anniversary celebration. For 90 years, this distinguished organization has served the Sacramento Jewish community and it continues to make significant contributions to important Jewish causes as well as to the entire Sacramento community.

Now under the leadership of president Steven Mopsick and Rabbi Lionel Moses, the Mosaic Law Congregation has entered into this new decade prepared for growth and further achievements. The synagogue has established a fine youth program. Young members of the synagogue have brought credit to the congregation through their receipt of coveted regional and national united synagogue youth awards and through their development and expansion of the youth chorale. Additionally,

many of the adult members of the synagogue have become prominent leaders of the community and national organizations such as AIPAC, United Jewish Appeal [UJA], Hadasah, Organization for Rehabilitation and Training [ORT], Anti-Defamation League [ADL], and Bnai Brith, to name a few.

With an enormous agenda in front of them, the Mosaic Law Congregation plans to further develop their adult and children educational programs, reshelve their library with books, renew their commitment to their youth program; and focus on the expansion of membership, while they continue to serve and meet the needs of present members. It also should be noted that Mosaic Law began in 1900 with only seven families. Since then, it has expanded into the ninety's with a membership of 500 families.

I salute the members of the Mosaic Law Congregation as they forge ahead into the 21st century, committed to the enhancement of their founders' commitment to improving traditional Jewish life and contributing to the betterment of the entire community. I commend all of you on your efforts and accomplishments and I offer my best wishes for the organization's continued success.

ARUNDEL ON THE BAY

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to pay tribute to the community of Arundel on the Bay. Arundel on the Bay is celebrating its 100th birthday this week; celebrating the longevity of a town that displays the type of civic pride and individual involvement that provides the base for this country.

Located on a peninsula jutting into the Chesapeake Bay, the citizens of the town formed the Property Owners Association of Arundel on the Bay, Inc. to expand their influence over the issues that most strongly affect such small communities. This expression of concern has resulted in the maintenance of the coastline, to prevent erosion, and the establishment of special services that have acted to knit this community together.

Arundel on the Bay is a model community; proving that civic virtue is thriving in the towns of Maryland. These 300 property owners and their families, and 100 years of history, deserve the well-wishes of all of us. I congratulate Arundel on the Bay on its 100th birthday celebration.

SHORTFALLS IN MEDICARE AND MEDICAID

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. ATKINS. Mr. Speaker, I rise today to make the House aware of the acute financial crisis that the hospitals of Massachusetts are presently faced with, a situation that is due in

part to payment shortfalls in Medicare and Medicaid.

Today, the Massachusetts health care system is in grave jeopardy. A number of new patient care challenges, including a marked increase in patients with AIDS, a growing elderly population, and the increasing number of uninsured patients all play a role. The fiscal health of the hospitals in Massachusetts is tremendously worsened, however, by the growing payment shortfalls in Medicare and Medicaid. The lack of sufficient funding must be rectified.

The growing payment shortfalls in Medicare and Medicaid have limited the financial capacity of many hospitals to meet the needs of their patients. Since 1983, the cost of goods and services purchased by hospitals has risen twice as fast as Medicare hospital rates of payment. Over the last 3 years, Medicare prospective rates have increased by under 4 percent while the costs of providing essential medical care have increased at over three times this rate. In Massachusetts, hospitals will be paid roughly 10 percent below their costs for treating Medicare patients in fiscal year 1990. In addition, the Medicaid Program has arbitrarily frozen or delayed millions of dollars for services Massachusetts hospitals have already provided, thereby creating severe cash shortfalls. Consequently, over 60 percent of the acute care hospitals in Massachusetts operated at a loss in 1989.

When one begins to "crunch" numbers and analyze figures, it is all too easy to forget exactly what the issue is ultimately about. The issue of payment shortfalls of Medicare and Medicaid, as complex as it may appear on a ledger sheet, is ultimately about people. From the newly born, to the aged and infirm, it is my heartfelt belief that every American ought to have the right and the opportunity to receive sufficient and adequate medical attention. If present levels of funding are not adequately increased, we will face disaster in our health care system, both in Massachusetts, and across the Nation.

As can be seen, any financial situation which adversely affects these hospitals would also have an adverse affect upon the entire State. Destroying our economic infrastructure and our capacity to provide adequate medical care will only increase the amount that has to be paid in the future. It is time that we stop deferring necessary expenditures. Now is the time to increase funding of Medicare and Medicaid.

THE MEDICARE HOME DIALYSIS STAFF ASSISTANCE COVERAGE ACT OF 1990

HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. MOODY. Mr. Speaker, I am introducing today legislation to provide Medicare coverage for a staff assistant for certain individuals who suffer from end stage renal disease [ESRD] and are dialyzed at home. Five other members of the Ways and Means Subcommittee on Health—Representatives CHANDLER,

PICKLE, LEVIN, CARDIN, and JOHNSON—have joined me as original cosponsors of my bill, "The Medicare Home Dialysis Staff Assistance Coverage Act of 1990."

Faced with massive overpayment for staff-assisted home dialysis, Congress last year capped the ESRD method II payment rate at the method I rate. Although I supported that action, one unintended side effect was that the economic incentives to provide staff assistants for home dialyzers were essentially eliminated. As a result, we have now discovered that no home dialysis provider is willing to offer staff assistance.

Most home dialyzers who need assistance have been successfully placed with renal dialysis facilities. Unfortunately, problems remain for a small number of patients, most of whom are too frail for the rigors of being transported to and from a facility.

My bill would provide a fixed payment, regionally adjusted, for staff assistants for home dialyzers. The bill does not repeal last year's OBRA 1989 provision capping method II payments, but would instead provide a staff assistant to a medically needy group of ESRD patients for whom transportation to and from a dialysis facility is a real medical hardship.

The bill would authorize payment for staff assistance to ESRD home dialysis patients who are certified by a physician or nephrologist as being confined to a bed or wheelchair, unable to transfer without assistance, and without access to transportation services, or who are suffering from a serious medical condition—as specified by the Secretary of Health and Human Services—which would be exacerbated by travel to and from a dialysis facility.

In addition to these two new "medical hardship" eligibility criteria, the bill would also give ESRD patients who are now ambulance transported the option of switching to staff-assisted home dialysis if the change would cost no more than the cost of the ambulance transportation. This option is good health policy. It may also prove to be highly cost-effective, since ambulance transportation can be extremely expensive and a staff-assisted benefit may thus provide better care to the patient at lower cost.

My bill also requires annual Peer Review to ensure that patients initially certified as meeting the eligibility criteria remain eligible. I stress that PRO's would not be reviewing the entire ESRD program. Instead, they would simply be directed to ensure that patients remained eligible for the staff-assisted benefit.

Finally, the bill directs the General Accounting Office to review the costs and effectiveness of the new coverage, and to provide a report, together with recommendations, by July 1, 1992.

Mr. Speaker, this bill offers a carefully crafted compromise between cost and effectiveness. Its adoption would restore, on a very limited basis, a useful Medicare benefit to frail patients who should not be required to withstand the rigors of regular transportation to a dialysis facility when such transportation may put their health at risk. I urge my colleagues to support the bill.

A brief analysis of the Medicare Home Dialysis Staff Assistance Coverage Act of 1990 follows:

SUMMARY OF THE MEDICARE HOME DIALYSIS STAFF ASSISTANCE COVERAGE ACT OF 1990

I. Eligibility: Patients must fall into one of two categories:

(1). "Medical Hardship": Patients would have to be certified by their attending physician or nephrologist as being either:

A. confined to bed or wheelchair, unable to transfer without assistance, and without access to transportation services to and from a dialysis facility, or

B. suffering from a serious medical condition (specified by Secretary of HHS) which would be exacerbated by travel to and from a dialysis facility.

(2). "Ambulance Transported": Patients who are receiving ambulance service to transport them to and from a dialysis facility may opt for the staff assisted benefit if it would not cost more than the ambulance service.

There is no "coercion" with this criterion. In other words, the Secretary could not require a switch from ambulance service to staff-assisted benefit for cost-savings, but the beneficiary could not make the switch if the staff assisted benefit costs more than the ambulance service (an unlikely event).

II. Reimbursement: Reimbursement for staff assisted services is provided at a fixed rate:

\$50 per treatment for non-RN, regionally adjusted.

\$80 per treatment by RN, regionally adjusted.

The rate is based on the national average salary for non-RNs or RNs times the actual time required to deliver the service.

Home dialysis aides would qualify under standards developed by the Secretary, or if they meet standards established by the dialysis facility employing the aide.

III. Pro review: The bill requires annual PRO review to ensure that certified patients remain eligible for the benefit.

IV. GAO report: The bill requires a GAO study and recommendations on the cost and effectiveness of the staff assisted benefit by July 1, 1992.

V. Supporters: The American Association of Kidney Patients (AAKP) and the National Renal Administrators Association (NRAA) are the prime supporters.

INTERNATIONAL RECOGNITION EXTENDED TO MICHEL HALBOUTY

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. MILLER of Ohio. Mr. Speaker, as Vice Chairman of the Technology Assessment Board of the Office of Technology Assessment, I would like to take this opportunity to bring to your attention an outstanding honor which was recently bestowed on Mr. Michel Halbouty, a member of the Office of Technology Assessment Advisory Council. This Advisory Council, appointed by the Board of OTA, is made up of 10 public members eminent in science, technology, and education. These members advise the Board on OTA Assessments and provide us with invaluable expertise.

Mr. Halbouty was recently awarded an honorary degree of doctor of geoscience from the U.S.S.R. Academy, the chief coordinating

body for scientific research in the Soviet Union. This award is especially notable as Mr. Halbouty is the first foreigner to receive this high honor and recognition from the Academy.

Receipt of this distinguished honor once again reaffirms the universal contributions and achievements which Mr. Halbouty has made to the science of geology and I think the Congress of the United States is extremely fortunate to have an individual of his high standing and caliber associated with its OTA advisory panel.

TRIBUTE TO EUGENE HARNED

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. MRAZEK. Mr. Speaker, I rise today to pay tribute to Mr. Eugene Harned for his 50 years of dedicated service to company No. 2 of the Mineola, Long Island Fire Department.

Mr. Harned joined the Mineola Fire Department on April 9, 1940. During his career as a firefighter, Mr. Harned served as an executive secretary to the department, a warden from company No. 2, and a president of the Department Exempts and Benevolent Association.

Mr. Speaker, the volunteer fire department is one of the great institutions in America today. Thousands of our citizens freely give their time, effort and, sometimes their lives in order to protect our communities.

For the past 50 years, Eugene Harned has proudly upheld this tradition. On countless occasions, Mr. Harned answered the call for help in his community without regard to the time of day, or to the possible danger to himself. He has served his community with pride and distinction.

Mr. Speaker, I take great pride in the many volunteer fire departments throughout the Third Congressional District of Long Island. Those who serve these departments prove that the values of community pride and volunteerism are still alive and well in America today.

On September 29, 1990, the Mineola Fire Department and the entire community will honor Mr. Harned at a dinner to be held at the Knights of Columbus Hall in Oyster Bay. I am honored to add to this tribute and wish Mr. Harned well in all of his future endeavors.

REPORT TO THE PRESIDENT ON GATT, POLAND, AND CZECHOSLOVAKIA

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. ROSTENKOWSKI. Mr. Speaker, earlier this year I was privileged to have been asked by the President of the United States to be his Special Representative to the 1990 Poznan International Trade Fair in Poland. I was particularly pleased to accept for many reasons, including the fact that this would be the fifth

consecutive President for whom I have performed this mission.

I have now returned from this most interesting and productive trip, and have submitted a report to the President on my meeting and other activities as his Special Representative. The report covers meetings and events regarding: (1) the Uruguay round of multilateral trade talks taking place at the GATT in Geneva, Switzerland; (2) the political, economic, and foreign trade situation in Poland; and (3) the same, but to a lesser extent, in Czechoslovakia.

Knowing as I do of the pronounced interest of many Members in the subjects covered in the report, I ask that it be printed at this point in the CONGRESSIONAL RECORD in its entirety. I stand ready to elaborate on any point in the report which is of special interest to any Member. Thank you. The text of the report follows:

REPORT TO THE PRESIDENT BY HON. DAN ROSENKOWSKI, SPECIAL REPRESENTATIVE OF THE PRESIDENT OF THE UNITED STATES TO THE 1990 POZNAN INTERNATIONAL TRADE FAIR

DEAR MR. PRESIDENT: Earlier this year, you appointed me to serve as your Special Representative to the 1990 Poznan International Trade Fair in Poland.

Pursuant to my appointment, I formed an official delegation and traveled to Poland from June 9 through June 12, 1990. There, I participated in the official opening of the U.S.A. Pavilion at the Poznan Fair, hosted the traditional "American Day" reception, and held meetings in a number of locations around Poland on the subjects of U.S.-Poland trade, Polish economic reform, and U.S. aid to Poland.

In addition, I took the occasion of this trip to call on U.S. and foreign officials involved in the Uruguay Round of negotiations on the General Agreement on Tariffs and Trade (GATT) in Geneva, Switzerland on June 8; and to meet with officials and entrepreneurs in Czechoslovakia on June 13, regarding America aid and American investment there.

This report contains summaries of discussions I held and activities I undertook as your Special Representative. In many events described herein I was accompanied by members of my delegation and by U.S. Embassy personnel assigned to that particular country. Both groups were of great assistance, to me and to those with whom I met, in reaching a full understanding of the issues being discussed.

GENEVA, SWITZERLAND

GATT discussions

On June 8, the delegation called on United States Ambassador Rufus Yerxa, Deputy U.S. Trade Representative on permanent assignment to the GATT, for a review of the status of the "Uruguay Round" of multilateral trade negotiations currently underway. As you know, the Committee on Ways and Means will play a prominent role in Congressional deliberations over the legislation necessary to implement any agreements reached in the negotiations.

After receiving Ambassador Yerxa's assessment of the situation, I met for two hours in round-table discussions with GATT Director-General Arthur Dunkel, GATT Deputy Director-General Charles Carlisle, and the permanent representatives to GATT from Canada, Brazil, Australia, the

Philippines, Japan the European Community, and Poland.

The discussion was frank, especially with regard to the recitation by each country's representative of its most prominent concerns. Each Ambassador listed those open issues most important to his or her own government. There were no real surprises among the listings but the exercise did demonstrate that there remains a large number of varied issues still open to negotiation in the Round.

Beyond the individual country concerns, a clear consensus does exist on the larger question of the need for the negotiations to conclude with a "big" agreement reached on a timely basis. It was agreed that a "big" agreement cannot be reached without a solution on agriculture, considered by all to be the most difficult of the issues still open in the negotiations.

Several participants, especially Ambassador Hidetoshi Ukiwa of Japan and Ambassador Paul Tron from the European Community, queried whether the support for GATT in the United States was deep enough and "visionary" enough to take those actions necessary to support a "big" agreement, such as possibly giving up the "American exemption" on agriculture and drawing back on "Section 301."

In his summary remarks, GATT Director-General Dunkel said that the next few weeks represent the "moment of truth" on whether the Round will result in a timely agreement, since members must be presented with legally binding, clear, credible, and precise agreement documents by the end of the Round scheduled for December of this year. These documents will obviously take a great deal of time to prepare properly.

Director-General Dunkel expressed the view that expansion of GATT into the many new areas under discussion cannot proceed without equal or better progress in the "old" areas—with special mention of agriculture as the linchpin example.

Finally, Mr. Dunkel indicated that he sees to possibility that the December deadline can be extended—if the pressure of the coming deadline fails to yield the necessary result, more time will not help. Moreover, speculation on whether there might be more time can only hurt the prospects for an agreement by the end of this year.

In response, I reviewed the prerequisites of the "fast track" legislative process under which the implementing legislation would be taken up by the Congress, if such legislation is timely proposed by the Administration.

I assured the participants that the Administration and the Congress are preparing, and will be prepared, to take up the hard questions raised by a "big" agreement. I acknowledged that the current mood of the Congress, perhaps held over from the trade debates of the past few years, is not running in the "visionary" direction mentioned in the opening comments. I further acknowledged the difficulty of bringing protectionist elements of the Congress to a new way of thinking on world trade. I added, though, that there is strong support in the Administration and the Congress for bringing much more of the world's trade into a uniform system of laws and enforcement and that I was looking forward to the opportunity to convince my colleagues of the promise represented by a "big" Uruguay Round agreement.

Noting that the United States can be expected to act in its own best interest, I went on to say that any agreement would be

very carefully weighed in the United States. I added that a balanced and promising agreement, encompassing necessary sacrifices and desired gains for all countries, would be in the best interests of any country which aspires to be a trading partner with every other country in the world.

In a lively period of questions and answers, these positions were explored and elaborated on, along with further discussions on other matters, including the importance of a broad, long-range agreement on trade to the emerging market economies of Eastern Europe.

I concluded from these talks that it is very important for Washington to be giving all possible assurances to our trading partners:

(1) that we recognize the importance of the Uruguay Round and its potentially dramatic and long-term positive effects on all countries of the world, including the United States;

(2) that the standard of success of these four years of talks will be the arrival at a "big" agreement, to include agriculture as well as meaningful agreements in the new areas of services, intellectual property, and investment;

(3) that we are prepared to debate the hard questions which will arise in connection to the sacrifices required by such an agreement, with a sharp eye toward whether those sacrifices are adequately off-set by gains in other sectors; and

(4) that we insist on a timely conclusion of the talks, lest we lose the advantages of considering the implementing legislation under the "fast-track" process contemplated in the Trade Reform Act of 1988.

THE REPUBLIC OF POLAND

Children's Hospital in Krakow, Poland

As I have done on two previous occasions, I visited the Institute of Pediatrics, known more commonly as the "American Children's Hospital," in Krakow, Poland.

There, I met with Professor Jan Grochowski, M.D., the Director of the Institute, Mr. John Walsh of Project Hope, which helps to manage the hospital, and other Institute officials. The delegation toured the hospital generally, including special attention to the recently-opened premature birth unit, the new rehabilitative wing, the oncology center, and the kidney dialysis unit.

We also toured the construction site of the Clement J. Zablocki Memorial Outpatient Facility, being built with U.S.-owned local currencies generated by the sale of U.S. food-aid commodities donated to Poland years ago. Expenditures for the Zablocki Wing are authorized by Public Law 98-266, and it is expected to be completed in 1991.

Finally, I inspected the potential site of a new hospital building intended to house permanent and visiting medical staff. One of Poland's greatest problems is a housing shortage, and the Krakow area around the Institute is no exception. This makes it difficult for the Institute to fulfill its mission of training Poland's pediatric doctors and surgeons in the latest techniques and practices. It is hoped that a housing wing for resident and visiting doctors will make it possible to reach many more Polish practitioners.

The Cracow (Krakow) Industrial Society

After touring the Children's Hospital, I met with three representatives of the Cracow Industrial Society: Lech Jeziorny, Vice-President, Leslaw Kuzaj, Member of the Board, Thomasz Gizbert-Studnicki,

Member of the Board, at the residence of American Consul General Michael Barry. We were joined by our Ambassador to Poland, John Davis, and other embassy personnel.

The Cracow Industrial Society brings together private entrepreneurs, professionals, and scholars who advocate a free market economy based on the principles of private ownership and competition. Its objectives are to foster private business initiatives, to dismantle bureaucratic barriers to free market progress, and to promote the ethic of the honest and uncorrupted entrepreneur.

The members of the Society believe that good progress is being made in attracting American investors to Poland, as evidenced by the large number of projects being studied in the Krakow area alone. Due to the environmental degradation suffered by that region, most projects known to the Society are designed to be environmentally sound, which adds to the cost, of course. Financing continues to be the primary obstacle, but the members were confident that it will eventually become more available.

We discussed the outcome of the recent local elections. The members of the Society seemed satisfied that, at least in the Krakow area, good and responsible people had won, but now needed time to learn how to govern. They believe that, in the long run, the change in local government leaders promises a better environment for the promotion of private enterprise.

The discussion did not yield a clear picture on how the regulation of businesses would be divided between the central government in Warsaw and the local governments. The members agreed that the following system might work best: no government approval of enterprise formation required, just registration at local level; central regulation of such things as occupational safety, wage laws, tax programs, etc., i.e. more or less our federal model.

We also discussed the role of lawyers in Polish society. It was noted that a much smaller number of lawyers hold elective or appointive office in Poland than is the case in the United States. Nevertheless, as the rule of law and private legal actions becomes more prominent in Poland, we can expect a rise in the importance of business lawyers, at least.

The members of the Society brought us up-to-date on some of their other activities, including conducting a "summer school of business" with the Polish Institute of Science and Culture (they already have a waiting list), creating an organization for the promotion of small business in particular, and the establishment of a bank, including a school for banking skills, with some of the instruction to come on-the-job in the United States.

They were quite happy to learn that the Administration and certain Members of Congress, myself included, are devising new programs and new opportunities to encourage Americans with technical skills to donate significant periods of time to come to Poland (and other emerging democracies) to help restructure the old system into something efficient and productive. I spoke specifically of your intention to organize a "Citizens Democracy Corps" of volunteers, and my proposal to create tax incentives to encourage voluntarism and the provision of technical training. I observed that I was working closely with the Administration to try to meld the two ideas and to enact them before the end of the year.

In closing, the members of the Society expressed their thanks to you and to the Congress for the various aid programs put into place by the U.S. to help Poland help itself. They petitioned for continued support for programs which help to create conditions for the growth of private enterprise in Poland.

Meeting with Minister of Health and local elected officials

Over dinner in Krakow, I conducted an extensive and wide-ranging discussion with Mr. Andrzej Kosiniak, Polish Minister of Health, and with Mr. Mieczyslaw Gil, Ms. Jozefa Hennelowa, Mr. Jan Rokita, and Mr. Jerzy Zdrada, Deputies in the Sejm (lower house of the Polish Parliament) elected in 1989 with backing from Solidarity. Also present were Polish and American doctors and American businessmen associated with the American Children's Hospital and Project Hope, as well as Ambassador Davis and Consul General Barry.

Among many other topics, we covered the need to restructure Poland's health care delivery system and the process by which that can be done, the further funding of the American Children's Hospital by both the Polish and the American governments, and the difficulties of conducting a democratic, pluralistic, representative form of government in general.

In regard to the latter, I went to some lengths to supply the elected members of the parliament with examples of how their inclination to enact broad programs in the interest of the entire country might conflict with the immediate and short-term interests of their constituencies. My frank advice to them was "Legislate from the heart; but use your head."

The 1990 Poznan International Trade Fair

After one day in Krakow, I traveled to Poznan for the purpose of officially opening the U.S.A. Exhibition. I can report to you that America is firmly back to full strength as a major attraction at this important East-West trade forum.

The U.S.A. presented a sharp-looking and packed pavilion of exhibit booths. We clearly had "sold" every foot of available space—so much so that the offices of our organizing officials had to be installed on a new second-floor platform.

Most of the booths presented useful information, and some of them were quite imaginative. A very few served merely as meeting places for those who had rented the space. I suppose this is a legitimate use of space, but when there is a waiting list, maybe some additional thought should be given to whether we are using limited space to the maximum impact.

Although I did not have the opportunity to visit other pavilions at the Fair, I did hear that the West German exhibit has a particularly effective "down-to-business" look, as opposed to the usual "show-and-tell" exhibits. I have asked the gentleman who brought that to my attention to elaborate on the point in a letter to the Foreign and Commercial Service.

Soon after the ribbon to the U.S.A. exhibition was cut, I greeted the official Polish touring party, headed by Prime Minister Tadeusz Mazowiecki. The Prime Minister took a careful and thoughtful tour of our exhibits, spending an especially long time at the Curtis International booth, which promoted the construction of pre-fabricated housing units—one of Poland's most pronounced needs at present.

Meeting with Prime Minister Tadeusz Mazowiecki

Prime Minister Mazowiecki interrupted his official tour of the Fair pavilions in order to hold a short meeting with me and Ambassador Davis in the "business center" portion of the pavilion.

Primary among the Prime Minister's concern was Poland's foreign debt situation, and his hope that the United States will take the lead among official creditors (in the "Paris Club") and commercial creditors (in the "London Club") in reducing or eliminating the debt his government inherited from the prior regime.

I reported to the Prime Minister that there was considerable support in Washington for a debt reduction program for Poland and informed him that a number of Members of Congress had just written to you suggesting that the subject be put on the agenda for the economic meetings coming up in Houston. He was pleased to hear this and hopes that you will find a way to act favorably on the request.

The Prime Minister also noted the sense of loss that he and all of Poland will feel upon the departure of Ambassador John Davis, who has come to be known as a trusted adviser to the new government.

In answer to a question from Ambassador Davis, the Prime Minister said that the political situation in Poland had stabilized into a basic framework. He said that, sometimes, the Western world looks on the Polish situation with too much nervousness—thinking that one strike, such as the recent rail strike, puts everything in danger. He and I agreed that the press is capable of overstating the situation and that we hope historians will consult other than just contemporaneous reports as source material. I also told him, though, that the mere perception of political instability would serve as a further deterrent to cautious investors and lenders.

That lead to a quick review of the situation in regard to American investment in Poland. It was Mr. Mazowiecki's observation that American entrepreneurs and investors are, perhaps, suffering from an excess of caution. "They come here, make wise statements, study the situation, talk to all our people—and then go back to America to think. I want them to start signing," he added. I told him that I could not agree more.

Meeting with Trade Minister Wojcik

Later on the opening day of the Fair, I met with Mr. Andrzej Wojcik, Deputy Minister of Foreign Trade Relations, in the Trade Fair Headquarters building. Ambassador Davis and Commercial Attache Edgar Fulton joined us.

Minister Wojcik, whom I have met on numerous occasions in the past, indicated that his Ministry intends to identify a few prominent projects which are close to fruition and "put them over the top" as a demonstration that good deals can be made with and in Poland. He hopes that a number of these can be brought to full maturity in the next two to three months.

Industry sectors offering the most promising candidates for this streamlined treatment seems to be telecommunications and the manufacturing of computer industry goods.

Minister Wojcik next argued for liberalization of export controls, urging a full realization of the promise contained in the recent talks in Paris. He said that the Polish government is prepared to give all necessary assurances that heretofore restricted goods

would not be used in a way inconsistent with the interests of the United States. He said that certain legislation was being prepared in the Polish parliament fully to take advantage of new opportunities and that Poland's ultimate objective is to have itself eventually removed from the list of proscribed destinations.

Turning to the recently signed treaty between the U.S. and Poland, Minister Wojcik urged me to convey Poland's hope that the treaty will soon be ratified by the Senate. He predicted that one possible "stormy" area will be the provisions on the protection of intellectual property rights.

He further noted the dire need to establish private banks in Poland. He said that American banks seemed to be interested in debt-for-equity arrangements, but that Poland is not.

(When pressed for reasons later, the Minister stated that the opposition to debt-for-equity stemmed from the fact that such arrangements are inconsistent with pure debt forgiveness or reduction. Since debt reduction is the primary economic objective of the Polish government at the moment, talk of other approaches is not being entertained.)

We then explored the ramifications of these points, including a detailed review of one of the hoped-for "demonstration projects." This project is more in the nature of a sale than an investment. A California semi-conductor chip maker is upgrading its operations to make the next generation of chip. The transaction under discussion is to sell the old chip-making facility intact to a Polish state-owned enterprise, complete with installation and technical training in its operation. Included in the deal is a contract to purchase a significant portion of the Polish output, once the old plant is back up and running. Financing has yet to be finalized, but parties on both sides of the transaction are pushing hard to get it finalized sooner rather than later. It is anticipated that the Polish enterprise will eventually be privatized, with as much as 20% of the ownership ending up in the hands of the workers, made possible by a discounted price on the enterprise's stock, once offered.

Minister Wojcik stated that he is "rather optimistic" about prospects for American investment and business in Poland. He says it is important to be able to tell entrepreneurs that financing is available in the U.S. He also said that having mid-term (3-5 years) guarantees available from the Export-Import Bank (a recent development) will help to instill a little more confidence—even though he doubts that the guarantees will need to be extensively invoked.

As to the Polish-American Enterprise Fund, Minister Wojcik said that, although the Fund has not had an opportunity to really help yet, it is good to know that the long waiting period for its establishment is over.

As a last matter, the Minister brought up debt reduction, Poland's primary economic objective. He stated that they have come a long way in convincing Polish businesses to "think export," but fears that enthusiasm will be lost if all hard currency earnings are seen to be siphoned off for external debt service. (I should add that, on the way to the fairgrounds from the Poznan airport, I saw a large billboard reading "Export—It's OK.")

"America Day" reception at Poznan Trade Fair

The popularity of the American presence at the Poznan Fair was again confirmed on

the second day of the Fair (June 11) when, along with Ambassador Davis and Commercial Attache Edgar Fulton, I hosted the "American Day" Reception at the venerable Poznan Opera House.

Despite the fact that the reception was held in a location somewhat removed from the fairgrounds, a large assemblage of exhibitors, American entrepreneurs, Polish officials, fairgoers, and other interested parties attended. I took the occasion to note the dramatic growth in interest in doing business with and in Poland, and urged them to follow the old saying:

Go not where the path leads;
Go instead where there is no path;
And leave a trail.

Later during the reception, I had the privilege of announcing that a group of Americans had founded an American Chamber of Commerce in Poland and had applied to the Chamber of Commerce of the United States for formal recognition. Many of the founding members have been active in the Polish-American Economic Council for years, and were present for the announcement. The Economic Council is organized under the auspices of the Chamber, but this latest step constitutes a significant increase in commitment and interest. These businessmen deserve our thanks for their efforts.

Meeting with Polish Ambassador-Designate to the United States, Kazimierz Dzielanowski and other new diplomats

While in Warsaw, after my Poznan appearances, I was pleased to accept an invitation by Ambassador Davis to participate in a farewell, or send-off, dinner in honor of several Polish diplomats departing for their foreign posts. Among them was Kazimierz Dzielanowski who, along with a number of others, is soon to arrive in the United States to represent the Republic of Poland as Ambassador.

Also present for the dinner were some of the leading intellectual lights behind the Polish democratic revolution. It was a pleasure to meet some of the people we have heard so much about—and whose thoughts will be studied for many years, I predict. Both for myself and for members of my delegation, the dinner offered an excellent opportunity to appreciate a variety of perspectives on the political situation in Poland, especially regarding recent actions taken by Lech Walesa.

The dinner also gave me a chance to advise the Ambassador-designate on many aspects of political life in Washington, and the problems he will encounter as he represents his government before the American people and their elected and appointed leaders.

Mr. Dzielanowski is a quiet, dignified, yet humorous man who reflects the manner of Prime Minister Mazowiecki. Like the Prime Minister, he is also a man of considerable intellect, having worked as a highly recognized journalist most of his adult life. In fact, as you might have heard, he is credited with composing the first draft of the remarkable address delivered by Lech Walesa to the joint meeting of the House and Senate last November. Characteristically, he handles conversation about it most modestly.

This will be Mr. Dzielanowski's first diplomatic post, but I came away from the encounter with the feeling that you will like him and that he will do fine in Washington.

Meeting with Lech Walesa

On Tuesday, June 12, my delegation traveled to Gdansk for the purpose of meeting

with Lech Walesa, Chairman of Solidarity, at the Solidarity headquarters building.

It was my intention to have a general discussion with Mr. Walesa, along with members of the delegation, and then to repair to a private room for further consultations about the dangers of the appearance of political instability at this stage of Poland's economic reform.

Mr. Walesa agreed to this format but, as it turned out, the initial stage of the meeting became the only stage—complete with a number of television cameras and correspondents. At one point in the proceedings, I suggested that the time was right to break off into the private setting, but Mr. Walesa stated that he wanted everyone to hear his views. Later, at the conclusion of an hour's give-and-take, he asked whether I still wanted to meet with him privately. Having by then said everything I had intended to say, I declined, and we faced the press together for some follow-up questions.

As to the conversation itself, I can say that it was one of the most vigorous of my political career. I was at first taken aback, somewhat, by what I saw as an aggressively defensive posture assumed by Mr. Walesa. Nevertheless, we proceeded to explore each other's position on the causes and consequences of apparent rifts between Mr. Walesa and other Solidarity-backed leaders.

I went into the meeting with the opinion that some of the actions and positions attributed to Mr. Walesa of late bordered on being counterproductive, on grounds that they create a perception of political instability in Poland at exactly the moment that those who can help the most—bankers, investors, entrepreneurs—are looking for the opposite signal. My long conversation with Lech Walesa did not change my mind.

If I understood him correctly, it is Chairman Walesa's position that the Polish democratic revolution is not complete. He fears that, having thrown out the one-party rule of the Communist Party, Poland now could find itself in another one party situation—namely, Solidarity.

He believes that Poland must struggle through to real pluralism, through the establishment of what he calls "new structures," which I took to mean new political parties.

Now, Poland has plenty of political parties—maybe a hundred or more—but none has been able to mount a significant challenge to Solidarity in either parliamentary or local elections. In an interview taken a few days before my visit, Mr. Walesa had stated that he wants Poland to benefit from the full spectrum of political debate.

In our meeting, he referred repeatedly to his support for Mazowiecki and others in power, and to his admiration of them as Polish leaders. He also referred to this fear that Poland will come to rely too heavily on having wise and dedicated leaders for some time to come, while not building the mechanisms of pluralistic democracy under the current leaders. With "new structures," Poland will have something to fall back on, should these leaders stumble or fall. He committed himself to loyal but oppositional criticism of any policy or action taken by those currently in power which militates against that underlying objective.

For my part, I did my best to convey the idea that the very appearance of a split between Lech Walesa and the leaders swept into office under the Solidarity banner does not bode well for Poland. Whether fairly or not, the more perception of instability at this time could give potential investors an-

other reason to be skittish and skeptical, with the result that those in the best position to help Poland help itself will find something less speculative to do with their money.

I applauded Walesa's dedication to his objective of true pluralism, but voiced my concern that the economic conditions under which it might best be realized might well be forfeited if too much is attempted too soon. "It is time to consolidate your gains," I told him, "while not losing sight of the ultimate goal. You don't have to get everything done at once. You do have to sustain the conditions under which those objectives can be reached."

We each had our own interpreter and the conversation was very fast-paced, so much so that the sequential translation soon became simultaneous, sometimes resulting in four animated voices going at the same time. I cannot report that I convinced Chairman Walesa of anything, but he said that he would think about what I said and I believe that he will. As for me, I will read the continuing reports of unrest in the Polish political and economic community in a new light, but with no less concern about its effect on those who are trying to decide whether to bet on Poland's future.

Delivery of Little League scoreboard

One of the most enjoyable moments of my visit came at the American Embassy on June 12, where I had the pleasure of delivering to Polish little league officials a scoreboard donated by the American Little League organization. I understand that you, Mr. President, have shown a pronounced personal interest in exporting baseball to Poland—with great success. There were enough Polish boys and girls on hand, in colorful American tee-shirts and caps, to start a good game. I admit to being tempted to call off my meeting schedule for a few hours.

The scoreboard is destined for a new little league field being constructed in the small Polish town of Jaslo with funds donated by American Little League supporters in the Syracuse area. The scoreboard was made and donated by Colorado Time Systems, Mr. Bret Jacomet, President.

Also on hand for the ceremony were Ambassador Davis, other embassy personnel, USIA personnel associated with the Sports America program, American Little League's representative in Poland, Mr. Stan Kokoska, and some very proud parents.

Honorary degree ceremony at University of Warsaw

For purposes of filing a complete report, I also must inform you, Mr. President, that while in Poland, I was awarded an honorary doctorate from the University of Warsaw. It was a ceremony marked by simplicity and warmth, and some of the most beautiful Polish patriotic singing I have ever heard.

The case for my being honored was delivered by the Marshal (presiding officer) of the Polish Senate, Andrzej Stelmachowski, which was a great honor in and of itself. Marshal Stelmachowski is one of the most accomplished members of the Polish society. He is a member of the faculty of the University and has performed long and faithful service in the area of agricultural law. Most importantly, perhaps, he represented the Solidarity forces at the very difficult agricultural discussions during the famous "round table" talks of early 1989.

After receiving the awarded honorary doctorate, I was given an opportunity to respond. I have appended the text of my short

acceptance speech to this report, for your information.

THE CZECH AND SLOVAK FEDERAL REPUBLIC (CZECHOSLOVAKIA)

Meeting with Minister of Foreign Trade Barcak

After our three day visit to Poland, we traveled to Prague, Czechoslovakia, for the day of June 13. I received an excellent briefing from Ambassador Shirley Temple Black and members of the embassy staff. We then proceeded to a meeting with Mr. Andrej Barcak, Minister of Foreign Trade, in his office.

As expected, the first items of conversation dealt with U.S. trade programs not yet in place for Czechoslovakia, namely, Most-Favored-Nation (MFN) status and Generalized System of Preferences (GSP) treatment. I assured the Minister that there was no objection to these programs being put into place for Czechoslovakia and, in fact, more than ample support for doing both. I explained to him the legislative footing on which they stand. In this case, favorable action on both of these popular ideas is being held up temporarily by the failure of the House-Senate conference committee to reach agreement on other provisions of H.R. 1594, "The Customs Trade Act of 1990."

The Minister urged all expedition, citing especially the MFN designation as a great symbolic reinforcement for the Czech and Slovak people as they continue to try to transform their economy to one directed by market forces.

Minister Barcak reported that documents related to the business and investment treaty signed with the United States are being finalized, and cited a number of specific large-scale business decisions which are expected to fall into place as soon as the treaty is ratified. He named several large, well-known American companies poised to start projects in Czechoslovakia once all official barriers are finally removed.

Minister Barcak inquired about the legislation known as "SEED II" (amendments to the Support for Eastern European Democracy (SEED) Act of 1989, now contained in H.R. 4610, "The International Affairs Authorization Act of 1990," reported favorably by the House Foreign Affairs Committee on May 2, 1990). He demonstrated specific knowledge of those portions of SEED II which seek to create the conditions under which private enterprise can flourish in Czechoslovakia, and urged their enactment.

He listed what Czechoslovakia needs most from the United States: technical training and business-infrastructure construction and repair. He cited the need for accountants, appraisers, lawyers (although they do not want to repeat the error of excess made by the Americans in regard to the number of lawyers in general, and the number of lawyers in government in particular).

Also prominently mentioned was the need for technical advice on how to set prices—lest the foreign investor always get his or her way to the detriment of Czechoslovakia. "The privatization process is most likely to appeal to those who draft it," he said, in a clear reference to the advisability of Americans getting involved in the process immediately.

Meeting with Finance Minister Klaus

Finally, over dinner, I had a long conversation with Finance Minister Vaclav Klaus, along with Ambassador Black. The conversation was wide-ranging and useful. Again, emphasis was placed on the need, symbolic and otherwise, to put MFN and GSP pro-

grams in place for Czechoslovakia. We also discussed the role of the United States in helping emerging democracies help themselves, the political situation in Czechoslovakia, and the role of the country in a restructured Europe.

Also in attendance were representatives of a number of U.S.-based firms actively exploring the Czech and Slovak markets and the feasibility of opening offices in Prague and elsewhere. From my contact with them, I concluded that, to a large extent, the decision to do business in an emerging capitalist market could be seen as a "self-fulfilling prophecy." That is, the conditions under which a profit can be made can be created by the effort to make that profit. If every potential entrepreneur waits until those conditions exist, they never will exist. The same can be said for Poland.

CONCLUSION

Mr. President, I want to thank you for this important opportunity for me to travel to Poland, Geneva, and Prague under your auspices. It was a most rewarding trip in terms of what I was able to learn from political leaders, entrepreneurs, charitable organizations, and our excellent diplomatic team in all three countries.

From my discussions and observations, I conclude that there is plenty of reason to be optimistic about the future of political and economic reform in that part of the world—but only cautiously optimistic. There is still much that can go wrong.

The deepest basis for my optimism is that there is no slackening of the dedication to freedom, democracy and self-determination on the part of the people of Poland and the Czech and Slovak Federal Republic. This finds its expression in public and critical debate, active electoral politics, and capitalism at a personal and individual level.

No one can see the impromptu markets springing up all over Warsaw, Krakow, Poznan, Gdansk, and Prague—on blankets, and out of car trunks, or in whole fields of used cars for-sale-by-owner, without knowing that the spirit needed to transform whole countries is there waiting to be tapped—waiting not to be allowed to wither away.

American entrepreneurs can be found all over Poland and Czechoslovakia—they are welcome everywhere they go. We must continue to find ways by which the government can help create the conditions which will convince them to stay and try to make a go of it—but we must also urge them to have a little faith.

As I told those who came to the "America Day" reception in Poznan:

Go not where the path leads;
Go instead where there is no path;
And leave a trail.

I think that it can be made to happen and I look forward to the continuation of our work together toward that goal. Thank you again for the most welcome appointment. I look forward to the opportunity to elaborate on any portion of this report which you or members of your Administration might wish.

Respectfully submitted,
DAN ROSTENKOWSKI,
Member of Congress.

ACCEPTANCE SPEECH BY HON. DAN ROSTENKOWSKI ON THE OCCASION OF BEING AWARDED AN HONORARY DOCTORATE BY THE UNIVERSITY OF WARSAW

Dr. Rector, Marshal Stelmachowski, Faculty, Students, and Friends: It is a great

honor and privilege to me now to be identified so splendidly with the University of Warsaw—known throughout the world not just as a great seat of learning but as a crucible of freedom as well.

Tomorrow, I will travel to Gdansk, where I will visit what is popularly known as the "birthplace of Solidarnosc"—the work-place of laborers who refused to be oppressed any longer.

But the genius of the great Polish democratic revolution of the 1980's, of course, has been that the workers have not acted alone. It was the uniquely Polish marriage between the workers and the intelligentsia that made it work.

So, if the shipyard at Gdansk is the birthplace of Poland's liberation, then the University of Warsaw can be considered to be the scene of its conception.

This distinction is entirely in keeping with the traditions of the University—traditions I am now most proud to be able to call my own, thanks to having received this great honor.

The University of Warsaw has long stood for the preservation, the nurturing, and the spreading of intellectual integrity against the greatest odds. It is the symbol of resistance to the temptation to give in to less honest—more opportunistic—ways of thinking.

During periods of occupation and other forms of repression based on force and intimidation, the University of Warsaw has stood as a place where the truth could be taught, and learned, and cried out loud.

Whether it was in the classrooms, or the basements, or the streets of Warsaw—through hardship and danger—the University of Warsaw has kept Poland's, and the world's, eyes on the truth—and the truth has set Poland free again—and it is spreading.

In the United States, we have enjoyed the fruits of freedom for more than 200 years without interruption, thanks in no small measure to the contributions of many freedom-loving Poles of long ago—like Pulaski and Kosciuszko.

We have learned that freedom—and the control of one's own fate that comes with it—never gets easy; and that there is always the need to be intellectually honest—especially with ourselves.

Recently, I have been engaged in a personal campaign to urge my colleagues to be honest with their constituents, and to urge the American people to be honest with themselves.

We must admit to ourselves that we need to get our financial house in order, sooner rather than later.

We must admit to ourselves that the answer to ever-increasing debt is not to keep borrowing from foreign countries and promising that our children will pay it back later.

We must admit to ourselves that we cannot hope to pursue all the things we want to do—like helping Poland help itself—without collecting the means to pay for it.

I have been making some progress, but now—with my new credentials in hand—I expect to command a little more respect. Thanks to this generous—and most sincerely appreciated—act on your part today, I will carry on the great traditions of the University of Warsaw, and I will succeed.

Thank you again for this great honor.

CATHOLIC RELIEF SERVICES IN INDIA

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. CARDIN. Mr. Speaker, back in May, the Washington Post ran an article about Catholic Relief Services, in India. Following that article, the Post published two important letters to the editor that I think are worth calling to the attention of my colleagues.

CATHOLIC RELIEF SERVICES IN INDIA

A recent article in the Post spoke of evidence that India's Catholic Church "misused" American food supplies [front page, May 25]. I am an American Jesuit priest who has been a member of "India's Catholic Church" for the past 40 years. I've been in the United States since April 25 and will return to India on June 20. The report was painful to read.

When it says that "some bishops, priests and nuns . . . could have misused" American food supplies, the impression could be created that these same cleric and religious have personally benefited financially from these supplies. I think the word "misused" is poorly chosen. The fact is, the auditors found in some of the 4,600 centers receiving supplies that the books were not properly kept and the many detailed instructions issued were not followed perfectly. In most cases the food supplies have reached the poor, but the distributing agent didn't give a full report of the distribution, or the distribution was made in a way more adapted to the place and the needs of the people.

I have administered Catholic Relief supplies and have seen the good done by this help to people in need. I have seen farmers helped by the food-for-work projects, which provided wells in villages that had no source of drinking water. I have seen babies and mothers regain their health thanks to the mother-and-child-care program. Children without enough to eat at home have been able to get an education because along with reading, writing and arithmetic, they were given a meal when they came to school. These and many other relief and developmental projects have successfully aided the poor through the supplies given by the Catholic Relief Services (CRS).

Are some supplies misused? Yes. Is the misuse widespread? No. Helping the poor effectively to raise their standard of living is not easy. Frequently the parish is the center of the CRS distribution work. Because of many other activities and obligations, the pastor entrusts much of the work to others, and since the food is to be given to all, irrespective of caste or creed, non-Christian organizations are also asked to help. Most distributors live up to the confidence placed in them, but some few don't and take advantage of their position. These few should be identified and corrected.

I have visited the CRS office in Baltimore and have been in contact with their personnel in India and know that they are examining the report of the auditors very carefully so that they can make the right changes.

There are thousands of honest administrators of CRS programs in India who are very careful to see that the supplies reach and help the poor. The food supplies should continue; they are a real help to the poor.

JOHN F. GUIDERA, S.J.,

Baltimore.

I was shocked by The Post's article titled "Clergy Said to Misuse Aid to India," because I know the conditions under which many of the clergy work in India and other developing countries. They live and work in areas where the poverty is so abject that few would choose even to visit such impoverished communities.

The people receiving food aid through India's Roman Catholic Church and Catholic Relief Services are often the poorest of the poor. Assuming that all the infractions cited in the article resulted in a 15 percent to 20 percent loss of food aid, The Post's Delhi correspondent, Price Waterhouse and U.S. officials fail to address the 80 percent to 85 percent of food aid that reached desperately poor women and children through the CRS program in India. A success rate of that magnitude would rank the CRS-India food aid program well above most international assistance programs and certainly well above our own savings and loan debacle.

Catholic Relief Services' commitment to assisting the developing world's poor is a matter of record; to fail to cite its long and successful history of service to mankind is a journalistic disservice.

CHARLES SYKES,

Vice President of CARE, Reston.

THE GAS RELATED ACTIVITIES ACT

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. WALGREN. Mr. Speaker, today I am introducing the Gas Related Activities Act. Joining me as original cosponsors are Congressmen ECKART, OXLEY, RITTER, MURPHY, and BLILEY.

The Gas Related Activities Act is a very simple, straightforward bill. It would allow the three gas companies currently registered under the Public Utility Holding Company Act of 1935 [PUHCA], Columbia Gas System, Inc., Consolidated Natural Gas Company, and National Fuel Gas Co., to participate on an equal footing with other gas companies in developing new markets.

These three registered gas companies are integrated gas holding companies. They own subsidiaries engaged in all phases of the gas business. They explore for and produce natural gas. They own pipeline subsidiaries which transmit and store natural gas. And they own local distribution companies which act as utilities selling gas to end-users—residential, commercial, and industrial—at retail. They are registered under PUHCA because they are holding companies which own gas utility subsidiaries. It is important to note that there are many other gas companies which are similarly organized, but which are exempt from PUHCA for a variety of reasons.

Under section 11(b)(1) of PUHCA, the three companies may only engage in activities which are "reasonably incidental or economically necessary or appropriate to the operation" of their gas utility operations. This has sometimes been called the functional relationship test; that is, their activities must be functionally related to the sale of natural gas at

retail. For example, the companies have been permitted to build pipelines to transport gas, explore for and produce gas, and so forth, but they would not be permitted to buy drug stores of other businesses not functionally related to selling natural gas.

The Natural gas industry has undergone enormous change in the last 10 years. The Federal Energy Regulatory Commission [FERC] has opened access to pipelines so that end-users of natural gas may contract directly with producers while the pipelines serve as common carriers. State public utility commissions have sought to pass the benefits of a newly competitive gas market to consumers by requiring local distribution companies, the local gas utilities, to purchase the cheapest gas they can find within the bounds of prudence rather than relying on historical suppliers.

New competition within the gas market has led to decreased prices for natural gas and to enormous savings for consumers.

Unfortunately, the Securities and Exchange Commission [SEC], which has responsibility for enforcing PUHCA, has recently interpreted the functional relationship test to mean that the three registered gas companies must direct their nonutility activities—exploration and production, pipeline transmission, storage, marketing, and other activities related to the supply of natural gas—primarily for the benefit of their utilities, the local distribution companies. The SEC staff has asserted that the test to determine whether nonutility functions are directed primarily for the benefit of utility functions is a bright line 50-percent test. For example, the SEC staff interpretation would require that 50 percent of the gas flowing through one of the registered company's pipelines must flow to one of that company's subsidiary local distribution companies. At the same time, the FERC policies and State public utility commission policies are pushing local distribution companies to aggressively seek the cheapest supplies possible while maintaining reliable service.

The SEC interpretation of PUHCA is in conflict with FERC and State efforts to bring the benefits of competition to consumers and does not recognize the dramatic changes that are still occurring in the natural gas industry.

Last winter's nationwide cold snap, which caused shortages of fuel oil and propane, and resulting dramatic price fly-ups, emphatically demonstrated the need to improve gas deliverability in the Northeast and Midwest. The three registered gas companies happen to be three of six companies geographically situated to move quickly to develop new gas markets in this region. Under the SEC's interpretation of PUHCA, however, it is unlikely that these companies will be able to play a role in bringing gas supplies to a region that needs them. It makes no sense to arbitrarily block half of the potential entrants to a new market, thereby denying consumers the benefit of increased competition.

The Gas Related Activities Act simply would declare activities related to the production, transmission and marketing of gas, and similar activities, for purposes of PUHCA, are reasonably incidental or economically necessary or appropriate to the operation of gas utilities. That's all, nothing more. It affects only the so-

called functional relationship test of section 11(b)(1) of the act. It specifically leaves in place all other sections of PUHCA from its purview with the following unambiguous language, "Nothing herein shall be construed to affect the applicability of any other provisions of the Public Utility Holding Company Act to the acquisition or retention of any such interest by any such company." This new provision will not allow gas companies to expand into other fields of business. Rather, it allows them to participate fully in the natural gas market that FERC has created.

I understand that there are many bills before the House relating to electricity regulation under PUHCA. I want to state clearly that my bill has no relation to these much more controversial questions. Those issues need careful and thoughtful consideration. However, it is my hope that this bill will be seen as a bipartisan and noncontroversial effort to bring PUHCA regulation of natural gas companies up to date and conform it with the regulation at FERC and the State level.

In February of this year, the National Association of Regulatory Utility Commissioners [NARUC] adopted a resolution supportive of this legislation. The resolution found, among other things, that "(r)estrictions on functionally related activities of the registered gas companies place them at a competitive disadvantage and are contrary to the best interests of their customers" and that "(r)estrictions on gas-related activities could prevent the registered gas companies from expanding their pipeline systems or from participating in joint ventures with other gas systems to expand pipeline service to areas of the country where enhanced transportation capability is necessary * * *." In view of these findings, NARUC resolved, unanimously, that Congress be called upon to enact this legislation "to clarify PUHCA to secure the benefit of competition among gas systems for natural gas customers."

I urge my colleagues to join me in cosponsoring this bill. We need to move quickly to prevent a duplication of last winter's skyrocketing fuel prices. Passing the Gas Related Activities Act is one simple, prudent step toward doing that.

STAND UP FOR OUR POW/MIA'S

HON. JOHN MILLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. MILLER of Washington. Mr. Speaker, veterans who served in Korea did so because they believed in their country. They left their homes and their families to fight for freedom far away, and many of them never returned home.

All they asked was that they be remembered. In this week of the 40th anniversary of the Korean war, I remind my colleagues that we have an obligation to those missing and their families to keep the POW/MIA issue at the top of the national agenda.

Although we have heard stories of POW's in Vietnam, we rarely hear about the more than 8,000 servicemen still unaccounted for from

the Korean war. I am concerned that these men may not just have been confined within North Korea, but that they may have been shipped across China to prison camps in the Soviet Union. After that, we have had no way to account for these men.

Now after digging through stacks of declassified documents, information is finally emerging regarding our lost men.

I have spoken with some of the family members of POW's from my First District in Washington State. One of them, Bill Sowles of Edmonds, came to talk with me about his father, who was an OSS agent after World War II and in the army in the Korean war. Bill Sowles' father was captured in November 1950, but was transferred to the presumed dead list in 1953. He also found an old picture of POW's held in Korea. One of the men in the photo closely resembled his father.

On Monday, the USA Today published an article specifically mentioning Bill Sowles and his father, explaining the predicament many POW/MIA families are facing.

Forty years after the start of the Korean War on June 25, 1950, the fate of thousands of U.S. POWs/MIAs—8,177 by official count—is still unknown. Their families and friends live in a limbo of grief and hope.

An examination of U.S. documents and interviews with Korean War veterans indicate hundreds or even thousands of POWs/MIAs were never returned after being shipped to hospitals, military posts and labor camps in China and Siberia.

China, which send several divisions to fight alongside the North Koreans and captured thousands of United Nations troops, supposedly released the last of its Korean War military prisoners—U.S. and Canadian air crews—in 1955.

North Korea has always insisted that all live U.N. POWs from the 36-month long war—except for 22 so-called "turncoats" who chose to remain behind—were returned in the 1953 POW exchange.

But only one of North Korea's POW camps, most along the Yalu River on the Manchurian border, was opened to International Red Cross inspection.

The hard-core communists regime in North Korea gave five sets of remains that may be U.S. POWs to a U.S. delegation on Memorial Day 1990. Until then, no information about the U.S. troops unaccounted for from the Korean War had emerged since North Korea returned the last remains in 1954.

Many MIAs surely lie in unmarked graves in North Korea. But backing up reports of POWs in Siberia are declassified documents and public statements confirming that U.S. officials believe some POWs survived into the mid-1950s, when the U.S. waged a futile campaign to make China and North Korea account for them.

Some evidence, hidden away for years in classified volumes, was convincing enough for the U.S. government to ask the Soviets in May 1954, to explain reports that hundreds of men in U.S. military garb were being shipped by train to Siberia.

The Soviet reply called the reports "clearly contrived." The matter was dropped.

The U.S. government's public demand for an accounting of all POWs and MIAs—especially 389 singled out by repatriated POWs and named or seen in the enemy's own propaganda broadcasts, photos and films—even- tually fell silent.

The Pentagon and State Department say there is no evidence that U.S. POWs were still alive in communist hands after the Korean armistice. All are "presumed dead."

But U.S. generals, admirals and diplomats spoke openly and angrily of such evidence in the months following the armistice.

Loved ones at home, after years of trying to get answers, feel betrayed.

Rita Van Wees of New York believes she saw a 1951 photo, in a 1954 *Life* magazine, of her POW son being marched through Seoul.

"We've never stopped trying to get the government to do something. They never mention anything about Korea. You'd think no one is missing except from Vietnam."

Ho Jong, head of North Korea's mission to the United Nations, emphatically denies that any U.S. POWs remain alive today. But reports of POW trains headed for Siberia, letters families received from sons or husbands after they were captured—and even an unconfirmed 1979 sighting of Westerners in North Korea by a Romanian engineer—help sustain the hopes of some survivors.

Serban Oprica, now a U.S. resident, says in October 1979, while he was helping build North Korea's first TV factory, he saw about 50 Westerners working in a field near Pyongyang, the capital. Fellow Romanians who had been there longer told him they were U.S. POWs from the Korean War, "something normal in a communist country."

Despite the passing of decades, the American Red Cross has accepted its first Korean War MIA case. A "tracer" on Army Sgt. Lewis Sowies, captured in 1951 but never returned, has gone to the International Red Cross in Geneva, Switzerland.

His son, Bill Sowies of Edmonds, Wash., who saw his father in a Chinese propaganda film and believes he may be among those shipped to China or Siberia, gave the agency a list of possible contacts, including the Romanians who were with Oprica.

Many Federal agencies have information about missing servicemen, including live sighting reports, which has been kept classified on the grounds of national security. But, beyond protecting intelligence sources and intelligence gathering methods, there are no other security considerations to justify keeping this information secret any longer.

I say we make these files public—for our national conscience, for the morale of our veterans, and for the families of these soldiers.

And, we can accomplish this with H.R. 3603, the truth bill. The truth bill would open up these Federal Government files to the families of those left behind. This legislation would do no harm to the families, nor the Federal Government. The families' rights and privacies would be protected because no information mentioning a serviceman's name could be released without the consent of the family. Meanwhile, the Government would not be required to release information that would compromise national security.

Mr. Speaker, we cannot turn our backs on those 8,000 men left from the Korean war, and I call on my colleagues to stand up for our POW/MIA's.

AIDING IRANIAN EARTHQUAKE VICTIMS

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. DORGAN of North Dakota. Mr. Speaker, the call to aid victims of a devastating earthquake in Iran has raised the question of whether the United States Government or its people should assist these victims.

Americans will never forget the barbaric treatment of our Embassy personnel, who were held hostage by the Iranian regime of the Ayatollah Khomeini. We still are aware that the Iranian Government either encourages or countenances hostage taking.

But thumbing our noses at human suffering in order to extract retribution from Iran would only bring discredit on ourselves and our laudable tradition of responding positively to human tragedy. Regardless of our contempt for Iran and its Government, we should not turn our backs on those in great need.

Our Government and its people should willingly provide humanitarian aid to earthquake victims, who now include 50,000 fatalities and 400,000 hungry and homeless. In that spirit, I commend to my colleagues' attention an incisive editorial from the heartland.

The editorial from the June 27, 1990, issue of the Fargo Forum follows.

[From the Fargo (ND) Forum, June 27, 1990]

U.S. HELPS BECAUSE U.S. CAN

We were taken back somewhat by the simmering anger demonstrated by Americans interviewed about the United States sending aid to earthquake victims in Iran.

In "people-on-the street" spots on network and local news programs certainly not scientific sample) most of those interviewed were against helping Iran in any way. They cited the Iranian hostage crisis at the end of the Carter administration and Iran's continued sponsorship of hostages taking and terrorism as reasons not to send humanitarian aid into the quake zone.

Granted, it's difficult to feel anything but contempt for a country whose leaders insist on calling the United States "the great Satan." The evidence linking Iran to radical organizations holding Americans in Lebanon is solid—yet another reason for some American to revel in Iran's earthquake disaster.

The key word, however, is humanitarian. More than 50,000 people were killed in the massive quake and hundreds of thousands are homeless and injured. If the United States is a humanitarian nation, it must help because among all nations, America can help.

President Bush was right to be among the first world leaders to offer medical supplies, tents, blankets and other needed items to the Iranian government. Iran did not respond immediately, and when it did, Iranian leaders said they would accept aid from all but two countries (Israel and South Africa), never acknowledging the U.S. offer.

No surprise in that. We would not expect Iran to come hat-in-hand to the U.S., given the animosity between the two nations. Indeed, Americans might not get so much as a thank you from the ayatollahs.

Nevertheless, the supplies arriving in the quake-ravaged cities and rural areas show the made-in-the USA label; the people of Iran will know where the help is coming from. It is possible that the immense tragedy of the earthquake could become the means by which Iran and the U.S. begin to normalize relations.

This nation's first impulse should be to help. The tendency toward perverse joy over Iran's misfortune (shown in the television interviews) does not represent what American want to believe about themselves. If Iran choose to politicize quake aid by refusing help from Israel and South Africa, the United States need not follow suit. If Iran opts to devalue human life in war and by terrorism, no one in the United States should conclude "it OK" for Iranians to die and suffer in a natural disaster. We march to a different drum.

If helping Iran results in a lessening of tensions between Iran and the United States, wonderful. If it does not, however, American will still have done its part as a civilized member of the family of nations.

MISCONCEPTIONS ABOUT THE CHILD CARE AGREEMENT

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. HAWKINS. Mr. Speaker, during last week's debate on the motion to instruct the House conferees on H.R. 3 to reject the ABC Grant Program, Members made a number of statements about the conference agreement which require clarification.

First and foremost, the House conferees did not accept the Senate's ABC Grant Program. Rather, we adopted a Child Care Block Grant Program which allocates funds to the States for child care services under a targeted formula. The block grant does not require a new bureaucracy at the State or Federal level. It does not establish new standards.

I would also like to set the record straight about other claims made last week by some of my colleagues:

First. Claim: Under the conference agreement, there is a State advisory committee on child care.

Fact: There is no State advisory committee established under the conference agreement. There is, however, a State coordinating committee which is responsible for reviewing and coordinating a variety of child care services in the State, including Head Start, latchkey programs, new and existing State-funded early childhood education programs, tax credits, and child care services under the Social Services Block Grant.

Second. Claim: The conference agreement retains the Federal-recommended standards for child care.

Fact: These same recommended standards are in title IV of the bill which the House passed earlier this year.

Third. Claim: The agreement requires that there be federally mandated standards for child care in certain categories.

Fact: There are no federally mandated standards. The conference agreement pro-

vides that States establish their own standards in certain categories. That provision is also in the House-passed bill.

Fourth. Claim: The conference agreement establishes a Child Care Standards Improvement Program.

Fact: This provision which is in title VI of the House-passed bill, creates a Child Care Standards Improvement Program with a separate authorization of \$75 million for fiscal year 1991-98, 3 years beyond the life of the authorization. The conference agreement provides for \$50 million for fiscal years 1994 and 1995 for standards improvements.

Fifth. Claim: There are mandated training requirements for child care workers.

Fact: Under the Ways and Means Committee's amendment to title XX of the House-passed bill there is a requirement that all child care providers who receive public funds for child care services and are required to be licensed or regulated in the State complete annually an average of 15 hours of training. The conference agreement requires that States, after 3 years, establish their own requirements for training without specifying a certain number of hours.

Sixth. Claim: The conference agreement established a Federal Advisory Committee on Child Care.

Fact: There is no such committee established in the conference agreement.

Seventh. Claim: There are mandated announced and unannounced inspections of centers and family-based child care programs.

Fact: The Ways and Means Committee's title XX of the House-passed bill contains this same provision.

Eighth. Claim: States may not reduce standards or regulations without explicit permission from the Government.

Fact: The Ways and Means Committee's title XX of the House-passed bill contains this provision.

Ninth. Claim: Only providers who are licensed or regulated by the State may receive funds.

Fact: The Ways and Means Committee's title XX of the House-passed bill states that eligible child care providers must meet applicable standards of State and local law and that services funded under this title must meet all applicable child care standards and licensing and registration requirements.

These provisions have not been rejected by the House. They are in the bill which passed the House on March 29 by a vote of 265 to 145.

Less than a month ago, 40 children under the age of 10 were found in a basement in Prince Georges County, MD, along with another 13 babies in an upstairs bedroom. Only one 18-year-old was in the house. The owner, who was not at home, has been charged with operating an unlicensed, unsafe day car center. Do we want programs operating throughout the country like the one in Prince Georges County which violate space, staffing, and safety requirements or do we want to establish a safe system of quality child care which provides peace of mind for parents who work outside the home? In the face of real and potential tragedies like the one in the Prince Georges County, the administration notified us just last week that the President will

not sign a bill that requires States to establish standards. I don't believe it.

We should not risk the precious futures of our Nation's children by compromising away standards which assure at least minimum health and safety requirements. We should send this conference agreement, along with a tax component, to the President. The children of this country deserve no less.

A SALUTE TO 21ST CONGRESSIONAL DISTRICT "ARTISTIC DISCOVERY" CHAMPIONS

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. STOKES. Mr. Speaker, beginning this week and continuing through May 1991, the corridors of the U.S. Capitol will be adorned with beautiful artwork from around the Nation. This special exhibit represents the culmination of "An Artistic Discovery 1990," the ninth annual art competition for high school students administered by the Congressional Arts Caucus. "An Artistic Discovery" provides us a unique opportunity to recognize and pay tribute to the artistic talents of America's gifted young artists. Competitions are conducted in Members' congressional districts and the winning artwork from each district is delivered to our Nation's Capitol for inclusion in the special exhibition.

I am pleased to report "An Artistic Discovery 1990" includes winning artwork from my congressional district. I want to take this opportunity to congratulate Kurtis Latimore of Cleveland, winner of the 21st District art competition. His entry entitled, "House," is a beautiful watercolor.

Mr. Speaker, "An Artistic Discovery" has proven very successful in my congressional district. This year's competition attracted 144 entries from 12 high schools. In addition, the community was actively involved and very supportive of the program.

Mr. Speaker, it is an honor and I am proud to salute the 1990 "Artistic Discovery" competitors from the 21st District of Ohio.

1990 ART DISCOVERY COMPETITION PARTICIPANTS

Bedford High School: Allan Beasley, Dan Chadwill, Mark A. Hicks, Jennifer Kling, Eric J. King I, Richard J. Obert, Tony Riley, Adam Scheff, James E. Smith, and Alicia Taylor; art instructors: Mr. Rabatin and Mr. Wallace.

Bellefaire: Daniel Burton, Bruce Hill, Melanie LeRoy, Adam McCall, Liesse Potter, Josh Schaffer, and Chris Webster; art instructor: Karen Baldrey.

Cleveland Heights: Lochen Wilder Brown, Sherrie Cass, Alzbeta Damakos, Laeh Le Vert, Andrew Peet, Rebecca Silverman, Matt Smith, Mandy Taft, and Kenneth White; art instructor: Mary Braun.

Collinwood: David Brabson, Michael Canady, Robert J. Green, Tim Nathan, Jason Suminguit, and Christopher H. Young; art instructor: Jerry Dunnigan.

East High: Bernard Calloway, Leonard Craddock, Donnell Davis, Alex Ford, Joy Heathfield, and Tracy Parks; art instructors: Mrs. Testa and Ms. Watkins.

John Adams: Latonya Butler, Shereda Lynn Finch, James Hastings, Demetris Hopkins, George Lee, Israel Rosa, Tonya Renee Sorrell, Ronard Williams, and Kevin Wright; art instructors: Dale Lintala and Harry Petaway.

John Hay: Nicole Bridget, Contessa Crawford, Lamark Crosby, Shirlyn Davis, Denise Forthner, Richard Hart, Amy Hufstetler, Michael Hurt, Anita Della Jones, Brian Karn, Sean Karn, Nicole Petty, Sabrina Satterwhite, and Terrence White; art instructor: Kathy Yates.

Lincoln West: Robert Ward, Patricia Fowler, Ronald Ivy, Ben Johnson, and Cris Maragh; art instructor: Joseph Martin.

THE EQUAL TREATMENT FOR CIGARETTES ACT OF 1990

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. THOMAS A. LUKEN. Mr. Speaker, today I am introducing legislation to give the Environmental Protection Agency [EPA] the same authority to regulate tobacco products that it has to protect all of us from other dangerous products.

In 1976, Congress passed the Toxic Substances Control Act [TSCA], which gives EPA authority to regulate chemical substances and mixtures which present an unreasonable risk of injury to health or the environment. At that time there was little scientific evidence that cigarette smoke caused death and illness among nonsmokers, and Congress excluded tobacco products from coverage under TSCA.

However, in 1986 the surgeon general concluded that cigarette smoke caused a substantial number of lung cancer deaths among nonsmokers, and the following year Congress banned for 2 years smoking on all scheduled domestic airline flights of 2 hours or less. Last year Congress approved a permanent ban on smoking on almost all scheduled domestic flights.

EPA has now issued a draft report which concludes that about 3,800 nonsmokers die annually from lung cancer as a result of secondhand tobacco smoke. But, under current law, EPA can do nothing about this dangerous product.

The Equal Treatment for Cigarettes Act repeals the tobacco exemption in TSCA. There is no reason why the tobacco companies should continue to be shielded from a law that regulates all other chemical substances and mixtures.

Mr. Speaker, this bill has bipartisan support. Mr. WHITTAKER, the ranking Republican on our subcommittee, is an original cosponsor. Other original cosponsors include Mr. DURBIN, Mr. MRAZEK, Mr. ATKINS, Mr. CHANDLER, Mr. WYDEN, Mr. WAXMAN, and Mrs. COLLINS. I urge my colleagues to join with us in giving EPA the power to treat cigarettes like other products.

Mr. Speaker, I ask that a letter from the American Heart Association, the American Cancer Society, and the American Lung Association endorsing this bill be included at this point.

COALITION ON SMOKING OR HEALTH,

Washington, DC, June 27, 1990.

Hon. THOMAS A. LUKE,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN LUKE: The American Heart Association, the American Cancer Society and the American Lung Association, unified as the Coalition on Smoking OR Health, applaud the introduction of your bill to amend the Toxic Substances Control Act ("Act") to make that statute applicable to tobacco products. The "Equal Treatment for Cigarettes Act of 1990" would repeal the unjustified exclusion of tobacco products from the chemical substances covered by the Act.

The step you propose is long overdue. Tobacco use is the greatest, single cause of premature death and disability in the United States, claiming the lives of 390,000 of our citizens every year. More Americans are killed in a year by cigarette smoking than have died in all of the wars fought by the United States in the 20th century. Tobacco kills 65 times as many of our citizens as heroin and cocaine.

Yet tobacco products remain one of the least regulated products in the United States, excluded from regulation under the very health and safety laws that Congress has enacted to protect the public from harmful products. Tobacco is exempted from regulation under not only the Toxic Substances Control Act, but also the Consumer Products Safety Act, the Fair Labeling and Packaging Act, the Controlled Substances Act and the Federal Hazardous Substances Act. The Food and Drug Administration, in addition, has declined to regulate tobacco products under the Food, Drug, and Cosmetic Act.

Even if it were not enough that tobacco kills approximately one-third of its consumers when used precisely as intended by the manufacturer, its regulation under the Toxic Substances Control Act and the other acts cited above should be mandated because tobacco contains nicotine, a drug at least as addictive as cocaine and heroin.

The "Equal Treatment for Cigarettes Act of 1990" would continue to allow tobacco products to be manufactured and marketed in this country. It would, however, mandate the reasonable step of giving the Federal Government authority to regulate this addictive and lethal drug for purposes of health and safety. Our citizens deserve no less.

Sincerely,

FRAN DU MELLE,

Chairperson, Coalition on Smoking OR Health, Director of Government Relations, American Lung Association.

SCOTT D. BALLIN,

Legislative Counsel and Vice President for Public Affairs, American Heart Association.

JOHN H. MADIGAN, Jr.,

Assistant Vice President for Public Affairs, American Cancer Society.

THE EFFORTS OF THE TUCSON BUSINESS COALITION

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. KOLBE. Mr. Speaker, many of us have heard horror stories from constituents and

businesses in our districts of their encounters with the resolution trust corporation [RIC] or their problems that have resulted from the crisis in the savings and loan industry.

We have also heard the reports of a new credit crunch in the United States that has resulted as banks have overreacted to the savings and loan crisis, the new regulatory climate, and shaky underpinnings of many regional economies.

I'm sure, in hearing of these problems, my colleagues have also shared in feelings of frustration that come from an inability to do anything to solve these problems.

Well, I'm proud to say that a group of entrepreneurs from Tucson, in the Fifth District of Arizona, aren't taking this problem sitting down. Instead of waiting for someone else to handle the crisis, they are tackling these issues headon, and fighting to keep businesses, many of which were built from nothing, alive, despite these mounting odds.

On Monday of this week, the Wall Street Journal featured an article on their efforts. I would like to submit this article for the RECORD, and commend my colleagues to the efforts of the Tucson Business Coalition. Perhaps the example they set can be carried to the businesses in other districts which face similar problems.

[From the Wall Street Journal, June 25, 1990]

MILITANT SMALL-BUSINESS COALITION IS FIGHTING CITY HALL—TUCSON, AZ, ENTREPRENEURS PROTEST GOVERNMENT POLICIES, TIGHT CREDIT

(By John R. Emshwiller)

In most struggling regions, scared and angry entrepreneurs voice their frustrations mainly to each other. But in Tucson, Ariz., they are marching on city hall.

Angry at the effects of a credit crunch, regional economic slowdown and government policies, Tucson entrepreneurs organized the Tucson Business Coalition last February to fight back. Leaders of the grass-roots organization say membership is already at 1,400 and still growing.

In April, the coalition organized a protest march to a city council meeting by several hundred business people, who wore buttons and carried banners and signs in the coalition's colors of red and black. The black, says an organizer, is to mourn the businesses that have died while red is for the ones still alive but bleeding.

Being law-abiding citizens, marchers were careful to stay on the sidewalk and cross with the lights, organizers add. Confronted with a mass of angry business owners, the council moved to the nearby convention center to hear them out. A similar march was held the next day to Pima County's board of supervisors meeting.

"We haven't had much help from the big boys. So we are going to do some things on our own," says Byron Howard, coalition co-chairman and owner of B&H Properties, a local land-developer.

Similar groups are forming in other Arizona cities, say coalition leaders, and the protest may eventually go nationwide. "We would like to take this movement right into Washington, D.C.," says Bruce Greer, the coalition's other co-chairman and owner of Bruce Greer Construction Inc.

Some observers believe the ground is getting more fertile for such militancy. "There is a rising anger among small-business people" over government-imposed costs and

tight credit, says John Galles, executive vice president of National Small Business United, a 67,000-member advocacy group based in Washington, D.C.

Commerce Secretary Robert Mosbacher earlier this month said a "serious" credit crunch is beginning to grip small business and other sections of the economy.

However, Tucson coalition leaders are finding their message isn't universally welcomed. For instance, Mr. Greer says some of his construction equipment was recently vandalized. He says the graffiti on the machines indicated it was done by people who objected to some of his pro-development stands on behalf of the coalition.

The coalition aims to prune the size and cost of government and get it out of competition with private enterprise. It also hopes to lessen the dependence of small businesses on big financial institutions; coalition members assert the institutions have turned their backs on lending to small businesses. Local bankers reply that they are still interested in lending to small businesses but say the slowing economic growth rate has hurt the ability of many firms to qualify for loans.

Dozens of coalition members are spending evenings and weekends combing through city and county budgets looking for spending for the governments to slash. The coalition is even trying to set up an alternate banking arrangement for members through a local credit union.

Tucson Mayor Thomas Volgy decries some of the group's "slash-and-burn" tactics, but says it is emerging as a force to be reckoned with. Mr. Volgy says the coalition's rise helped kill a recent move to increase business licensing fees. Because of the coalition, "government is much more sensitive on a day-to-day basis to the needs of small business," he says.

Tucson's business problems can be traced to the boom times of the mid-1980's when Arizona was one of the U.S.'s fastest-growing states. Then, the biggest credit problem was finding ways to spend the multimillion-dollar loans that banks and thrifts were spewing out.

All that easy money led to some business binges, especially in real estate. Now Tucson is feeling the hangover. While population and income levels are still growing at about 2% a year, that's only a third of the rate of the mid-1980's. Since most businesses had geared up for the faster growth, the slowing "feels like a recession," says Marshall Vest, an economist at the University of Arizona. Bankruptcy filings in metropolitan Tucson last year hit a record 3,700 and in the first quarter of this year were up another 27%, he says.

Exacerbating the slower pace, most of the state's major savings and loans have been taken over by the federal government and have adopted lending procedures that make Uncle Sam look like Uncle Scrooge. Tucson residents joke that the government has taken the "L" out of their S&L's.

While commercial banks are in better shape, they also have turned more cautious, Tucson business people and economists say. Georgia Carlson and her husband, Glenn, recently discovered just how cautious when their bank told them it was calling in the \$500,000 credit line on their two businesses, which supply various items to the construction industry.

Mrs. Carlson says the businesses have never missed a payment on the credit line. But both were hard hit by the construction downturn, and the Carlsons' banker told

them their firms "had become bad risks," Mrs. Carlson recalls. She says that unless they can come up with some way to pay off the outstanding bank balance, they face bankruptcy and possible loss of their home. (The credit line was personally guaranteed.) "I'm damn mad and I'm not going to take this," says Mrs. Carlson, a leader in the business coalition.

Such anger was a driving force behind the coalition's formation. But the specific catalyst came from a local talk-radio show that began airing small-business owners' complaints. Then the station, KTUC, decided to hold a luncheon earlier this year where business people could give local politicians a piece of their mind. "People told me we would be lucky to get a couple of dozen people there," recalls Tom Hassey, KTUC's owner.

Some 500 showed up, along with most major local politicians. Attendees say the business people ran out of time before they ran out of gripes. For instance, Nicholas Locastro, a restaurant owner and coalition activist, says his property taxes more than doubled since 1983 and his liquor license fees went up 50% in the past two years.

Given the outpouring, some entrepreneurs decided an organization was needed. "Instead of just lone whining businessmen, we thought we'd at least have a bunch of whining businessmen," jokes Jim Hilkemeyer, who operates two fitness centers.

Membership in the coalition is restricted to locally owned small businesses, says Mr. Howard, the co-chairman. "We aren't the chamber of commerce or old guard," he says with some disdain. "We want people who know what it is like to have a Friday morning with a \$150,000 payroll due and only \$30,000 in the bank."

Entrepreneur costs \$25 and as much free time as an entrepreneur can devote. Hundreds of volunteer hours are being put into searching for ways to cut government budgets, merge departments and privatize such activities as printing and street construction. Mayor Volgy says the coalition's efforts have led to a "department-by-department examination of what is and isn't being contracted out."

Coalition leaders say they aren't sure how much lasting change all this activity will produce. But it has already led some business people to do things they wouldn't have dreamed of a year ago.

Bob Jones, president and part owner of Apache Business Systems Inc., says he always disdained protest marches and made fun of participants. But when the coalition marched on city hall, he was among the protesters. "I put my dignity aside. We had to get [people's] attention," he says.

NEUROLOGICAL ILLNESS IMPAIRS FORMER TWIN ALLISON'S FUTURE

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. BURTON of Indiana. Mr. Speaker, several years ago I had the privilege of meeting Bob Allison, the great former Minnesota Twins left fielder. Over the years, Bob and I have become very close friends and golfing buddies.

I was distressed to learn not too long ago that Bob is suffering from a very rare disease

called olivoponto-cerebellar atrophy ataxia. This disease is taking a terrible toll on Bob, but he is fighting it the same way he has fought for success throughout his life.

There was an article written by a Mr. Charley Walters recently that tells about Bob's plight. It also points out that Bob was not only successful at baseball, but he is a civic leader and successful businessman.

I truly believe, Mr. Speaker, that this article will benefit anyone who reads it, and, maybe, inspire some others who are suffering like Bob, to continue fighting because they have a role model in Bob Allison.

I would like to end by saying, Mr. Speaker, if everyone was like Bob Allison, the world would be a much better place. He was not only a great baseball player and a fine American, but he is a wonderful guy as well. I hope Bob recovers and that he and his lovely wife, Lori, have many more wonderful years of happy married life together.

NEUROLOGICAL ILLNESS IMPAIRS FORMER TWIN ALLISON'S FUTURE (By Charley Walters)

Bob Allison paused too long between slurred words.

"I'm very emotional about this," he said softly.

He paused again.

"I'm concerned about how far this is going to go," he said. "Will it keep eating away until I'm in a wheelchair and can't talk?"

Want to feel bad? Or lucky? Want to cheer for a good guy? Go ahead. Read.

Allison, 55, the best left fielder ever to play for the Minnesota Twins and one of the best guys you'll ever know, has an incurable, uncommon illness. It's called olivoponto-cerebellar atrophy ataxia. It may one day be called Bob Allison's disease, just as amyotrophic lateral sclerosis is called Lou Gehrig's disease.

"Bob has a condition which affects his nervous system or affects his brain, those systems or parts of the brain that have to do principally with coordination," said Dr. Richard Price, who is chairman of the Department of Neurology at the University of Minnesota.

As a result, Allison's walk and all other motor activities, as well as his speech, are impaired. But his thinking and mental processes are entirely intact and normal.

"The cause of the illness is unknown; it's one of these diseases of the nervous system that is poorly understood," Price said. "It affects certain populations of nerve cells—neurons—and causes them to die prematurely."

So what does this mean for Allison? "We're not sure about how things are going to go in the future," Price said. "In general, these are progressive disorders, but of uncertain speed."

Dr. Larry Schut also is a neurologist who has been evaluating and treating Allison. "It's a drunken appearance without being drunk," Schut said of the disease.

Price added, "One of the things we talked about with Bob is that if one sees him, superficially one could think it seems like he's drunk because the speech and the uncoordination are very much like what happens when you're drinking. But, in fact, the thinking isn't impaired like it is with drinking."

Allison, a striking silver-haired, robust 6-foot-4, 225-pounder who hit 256 home runs during 12 terrific seasons in the major leagues, began noticing his ailment three

years ago during a Twins old-timers game at the Metrodome.

"I was trying to run in the outfield and I couldn't keep my balance," he said.

Allison showed up for last summer's Twins old-timers game at the Dome and took batting practice.

"I could hit the doggone ball," he said. "I could hit the ball pretty good up until last year."

A few onlookers around the batting cage noticed Allison's peculiarities that day, the slurred speech, the imbalance. There was some whispering, a few raised eyebrows and wondering. But Bob insisted the matter remained private. So it would.

Allison loves to play golf. He earned a reputation across the country for his prodigious drives in celebrity-charity events. Three hundred yards and more, and that's not an exaggeration.

He's a popular member at Olympic Hills Golf Club in Eden Prairie, where he used to own a 9 handicap.

Now, a few years later, he plays to a 30 handicap.

"I play now, but sometimes I miss the ball when I swing," Allison said.

Frustrating?

"Yeah," he said.

Will Big Bob ever play golf well again?

"No," he said. "I think the doctors will tell you that it probably will get worse."

Dr. Price said, "The falling off of his golf game has been an index of what has happened. And the fact that he can play even as well as he does now is remarkable."

There's some hope, though.

"If all of a sudden they find out what genes are involved in this," Allison said. "Maybe through the ataxia foundation they'll be able to do laboratory tests to come up with the proper treatment."

Just as Cal Stoll, the former University of Minnesota football coach who three years ago received a heart transplant, has become highly active in the case for organ donor awareness, so will Allison become publicly active in Minnesota's Department of Neurology Center for Clinical Care and Research for Ataxia.

Jim Kaat, his former teammate and good pal who has become a nationally renowned broadcaster, will become Allison's spokesman for ataxia.

"This is hard to deal with," Allison said. "But I'm going to deal with it in a positive manner."

Allison left baseball 20 years ago. He was the American League's rookie of the year in 1959. He played on three all-star teams. He made that incredible, legendary catch in left field in the 1965 World Series. He was a star running back in football at the University of Kansas and later was the most feared physical base runner in the American league.

He retired two years ago from Coca Cola Midwest Bottling, where he spent 28 years and was general manager of the Twin Cities division of sales and marketing. He became a civic leader and president of the Twin Cities Minutemen.

Allison has an apartment in Minneapolis and last year built a beautiful new home in Rio Verde, Ariz., where he plays golf during the winter.

"I try to," he said.

Allison will play in the Twins' chapter of Major League Baseball Alumni Association golf tournament June 25, at the Braemar course in Edina.

The worst part of his illness?

"Dealing with it," Allison said. "It knocks the hell out of you emotionally. But I have

no pain, no nausea, no nothing. I feel great. I sleep good, eat good, rest well. My blood pressure is great—it was 112 over 70 the other day."

Allison's house in Rio Verde is occupied now by Harmon Killebrew, his close pal and former teammate who is having a tough time recuperating from emergency surgery for a collapsed lung because of a perforated stomach.

"Harmon tells me to hang in there," Allison said. "That's what he's doing—hanging in there."

Killebrew, 53, said he talks with Allison every day.

"This deal with Bob is a sad one," Killebrew said. "I think it's great that he's come out with this and is drawing attention to it. I love Bob and I just want him to get well again."

Harmon, his voice soft, too, paused between words, just like Allison. "You know, my mother used to say the most important thing you have is your health," Killebrew said. "And she was absolutely right."

RURAL TOURISM

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. SKELTON. Mr. Speaker, last week I had the opportunity to testify before the House Energy and Commerce Subcommittee on Transportation concerning H.R. 4369, the Tourism Policy and Export Promotion Act. I am pleased to express my support for this legislation, and particularly my support for the establishment of a Rural Tourism Foundation. I believe that such a Rural Tourism Foundation could provide a mechanism to promote tourism development—and more importantly, economic enhancement through small business development—in the small towns and communities throughout our Nation. At this time, I ask that the text of my written testimony be included in the Extension of Remarks of the CONGRESSIONAL RECORD.

THE TOURISM POLICY AND EXPORT PROMOTION ACT

Mr. Chairman and members of the subcommittee, I thank you for the opportunity to testify before you on H.R. 4369, the Tourism Policy and Export Promotion Act. I congratulate you, Mr. Chairman, for introducing and holding hearings on this important legislation. I also applaud the efforts of our colleague on the other side of the Hill, Senator Rockefeller, for all of the work he has done to further this legislation.

In my testimony, I have been asked to address issues relating to the impact of tourism on small business and the importance of tourism as a means of rural economic development. As many of you may know, I have worked with both of these issue areas in the House for some time. I currently serve as Chairman of the House Small Business Subcommittee on Procurement, Tourism, and Rural Development. In recent years my subcommittee has held more than ten tourism hearings focusing on international, domestic, and rural issues. I also serve on the steering committee of the Congressional Travel and Tourism Caucus, and I am Chairman of the Congressional Rural Caucus.

In years past the travel and tourism industry in the United States has been perceived as a frivolous field, and the true impact of the industry has not been fully understood, by the general public and by policymakers alike. But today there is a growing awareness and recognition around the country of the economic contribution of the tourism industry, including its potential contribution to rural areas. And no wonder—we are talking about an industry with annual expenditures totaling over \$300 billion. We are talking about an industry that is the third largest in the nation, ranked after automobile dealerships and food stores.

We are also talking about an industry that is predominantly made up of small businesses, and the success of small business is economically important to the U.S. and its place in the world economy. Of the more than one million public and private enterprises in the United States involved in tourism, approximately 98 percent are classified as small businesses by the U.S. Small Business Administration.

For the past two years one of my major areas of concern in the tourism industry has been the development and promotion of rural tourism. As an international tourist destination, the United States has often been seen as two coasts with nothing much in between. Fortunately, that view is now changing as states and regions capitalize on curiosity about "the real America". Most inbound tourists still gravitate toward our coastal gateway cities, but repeat customers are beginning to explore mid-America and other sites that are off-the-beaten-path.

Why the sudden interest in rural America? Fundamentally, the word "rural" conjures up thoughts of wide-open spaces and a culture that represents the pioneering spirit of our country. In addition, people are increasingly seeking experience only found in the American countryside. At the same time, rural communities are examining ways to stimulate economic opportunities through tourism while preserving and enhancing the special qualities that make small-town American life unique. Rural America offers much to international visitors, but by the same token the promise of tourism development offers many communities a chance for new life as well.

In recent years many of my colleagues in the Congress and I have been very concerned about the conditions in rural America. Hard times have caused the quality of life in many of our rural communities to decline—many of our small towns are literally disappearing. Yet, there are shining examples of rural communities that have been revitalized. In some regions, innovative leaders have linked their fortunes and their futures to tourism development and have embarked upon an authentic rural renaissance.

Responding to concern about the quality of life in rural America, the Congress directed the U.S. Travel and Tourism Administration to conduct a study to determine the ways in which small businesses in rural areas can be promoted through travel and tourism. The study also examined whether there is a need for federal policy concerning the development and promotion of small businesses in rural communities through travel and tourism. The final report of the National Policy Study on Rural Tourism and Small Business Development, released last October, concluded and confirmed that there is a need for federal policy on rural tourism and that travel and tourism can be an important tool for rural economic revitalization.

As a means of rural economic development, tourism has often been ignored. This is unfortunate, because in many ways travel and tourism—and the predominant nature of small business in this industry—seems particularly well-suited to help diversify and strengthen economies in small towns and rural communities.

For the visitor, rural tourism is a chance not only to see what America is all about—our history, culture, and heritage—it is also a chance to escape and take pleasure in our past. We don't have to go into a museum and look at our history behind a glass—we can participate in it. Visitors to rural areas may be looking to relive another era, or perhaps they want to learn about America at historic sites that are still as they were then, or maybe they just want to get away from it all and enjoy our country's natural beauty.

Recent articles have reported that in the state of Iowa, a modern pig farm is a popular attraction with the Japanese tourists; Europeans are venturing to inland ethnic pockets that still exist in many American communities; others want to visit Indian reservations, and still others are drawn to the sun, sand and surf of our beautiful beaches.

The variety is endless—from bed and breakfasts to farm vacations, to recreational trail networks, to lease hunting and fishing, to harvest festivals. All these and more are inspired by the rural flavor and natural resources found in small town America.

Rural tourism is my hometown of Lexington, Missouri. It is Dahlgren, Georgia and Maggie's Valley, North Carolina * * *. It is the Village of Smokey Hills and Gunflint Trail in Minnesota. It is Dodge City, Kansas. It is small towns, historic battlefields, old mills, apple festivals, county fairs, and Ozark Mountain Music * * *. Even now many communities are just beginning to realize what they have to offer. In many cases, things local residents see and experience every day are just that * * *. Everyday things to them. But to the potential traveler they are a vacation experience.

As a nation we have been content to believe that our overseas visitors want to visit New York, Los Angeles, and let's not forget Disney World. While these will certainly be highlights of their tours, we should not assume that they will not want to see other less well-known attractions. It is rural America that will display another side of American life to these visitors. I am convinced that these are the sights that reflect the "real America."

Statistics from the U.S. Department of Commerce indicate that more than 70 percent of overseas visitors coming to this country are here for a repeat visit, which helps to explain why people are actively seeking new horizons to explore. Many are ready and anxious to see something beyond the gateway cities, something different that is not to be found on every travel itinerary.

Another consideration is that many of our most famous national parks and attractions are over-visited. There are plenty of other equally spectacular parks, but which don't experience the overcrowding problems. By encouraging our visitors to get "off-the-beaten-path," we will be more able to preserve our nation's natural treasures as well as improve the quality of their experience.

The question is—how do we attract international visitors to rural America? It is my belief that establishing a Rural Tourism Foundation, as proposed in Section 8 of H.R. 4369, would help meet the needs of

rural communities as identified by the National Policy Study on Rural Tourism. It also would significantly contribute to rural tourism development and tourism promotion overseas. And finally, it would help us maintain the tourism surplus in our international balance of trade recently achieved by the United States.

The Rural Tourism Foundation would be a charitable, non-profit corporation, based in part upon the existing Park Service Foundation and similar to a bill I introduced several years ago to establish a Tour USA Foundation. The Foundation would assist the USTTA in the development of rural tourism by planning, promoting, and implementing projects that could increase tourism revenues by attracting visitors to rural America. Such a Foundation should become involved in both national and specific regional projects, and would also promote rural America as a prime destination for foreign visitors.

The Foundation would have a Board of Directors consisting of federal government representatives from federal agencies (including USTTA and land management agencies), as well as private citizens. The Senate Commerce Committee report indicates that the Foundation will operate under the auspices of the Travel Industry Association of America, but authority is provided to enable the Foundation to be housed within the USTTA should it be necessary, or should the Under Secretary prefer such an arrangement.

The Foundation would be allowed to accept donations, but the Senate bill also provides that up to \$500,000 of the funds authorized for USTTA may be made available to match, partially or wholly, the amount or value of contributions made to the Foundation, and to provide administrative services for the Foundation. I would favor a similar provision in the House bill. This limited federal support is necessary to enable the Foundation to become viable and self-supporting. Beyond the initial funding, the Senate Commerce Committee anticipates that the Foundation will support its activities by fostering partnerships among private and public sector travel and tourism interests, including small businesses and larger companies, individuals, state and local governments, federal agencies, and trade and destination promotion organizations who would benefit from the growth of rural America as an international tourism destination.

One of the primary functions of the Foundation would be to act as a clearinghouse for rural tourism development programs and other related assistance. One of the most telling findings of last year's National Policy Study on Rural Tourism and Small Business Development was that although a good number of organizations—local, state, federal, public, and private—had programs to assist rural tourism development, there did not exist a central source of contact for local leaders and communities to learn about development options and opportunities. In fact, there seemed to be an important lack of communication and potentially beneficial cooperation between agencies. The Foundation could become a central point of contact, giving direction to any and all parties interested in rural tourism and rural tourism development.

Most of you are aware of how well-planned and well-managed tourism development can positively effect a community. Tourism doesn't just happen—it requires leadership and community commitment.

Small businesses and local leaders must be prepared to provide a tourism infrastructure. They need federal help to do international promotion that could systematically attract foreign visitors. The USTTA and a Rural Tourism Foundation would fill this role.

People come to visit the United States to see particular "places" and "things", but they go home remembering America's "people". That's what really makes our country different. In America we have the most friendly people in the world. We enjoy showing our country off to those who come to visit. It is the friendly character of the American people that will keep visitors returning to our shores again and again, ensuring that tourism remains one of our nation's largest and most important exports. By sharing the flavor of America's small towns and rural communities, we are giving our visitors a taste of America at its best.

In closing, I would just add that I fully support the proposed legislation. Our goal is to achieve a tourism export surplus, and last year, for the first time, we met that goal. The challenge before us now is to maintain this achievement and improve upon the performance of last year. Support for USTTA, including sufficient levels of appropriations, can help in that effort.

Only last week, I had the opportunity to meet with a group of international tour operators visiting Washington. Their number one concern was USTTA. The support of these international tour operators for American tourism was evident, but without the promotional and technical support of USTTA they face serious obstacles when trying to convince their clients to visit the United States. They let us know in no uncertain terms that we must be prepared to match the promotional efforts of our international competitors or continue to lose market share.

I couldn't agree with them more. I am encouraged by the introduction of this legislation, and I hope that through the efforts of this subcommittee, Congress can be persuaded to move quickly to show our support for USTTA, for international tourism, and for rural economic development through travel and tourism.

THE INTRODUCTION OF THE ICE ENFORCEMENT AND PREVENTION ACT OF 1990

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. MINETA. Mr. Speaker, I would like to invite my colleagues to become cosponsors of a bill to keep a serious drug problem from getting beyond our control—the Ice Enforcement and Prevention Act of 1990.

The drug known as ice is a smokeable form of methamphetamine, or speed.

I believe the evidence shows that ice has the potential to overtake crack as the drug of choice on our Nation's streets.

In many ways, this drug is more dangerous. Its effects last from 7 to 24 hours and can induce extreme and uncontrolled violent behavior. In contrast, a crack high lasts only 20 or 30 minutes.

Because of its long-lasting effects, drug users consider the drug a good value.

Perhaps most dangerously, ice is much easier to make than crack. Illegal methamphetamine manufacturers do not need an imported base of coca as cocaine chemists do. Instead, the ingredients for the drug ice are available here in the United States and can be processed in simple laboratories into rocks of smokeable methamphetamine.

And it is profitable. It costs about \$300 to buy equipment and chemicals to make methamphetamine. The drugs produced can be sold for over \$100,000 at current rates.

The drug is extremely harmful. Habitual users can develop mental disorders and are prone to hallucinations. Hospitals have recorded fatal lung and kidney damage caused by this drug.

Babies born to mothers addicted to the drug ice are afflicted with the same problems we have seen in crack babies. They are sickly. They are unable to bond with parents and are prone to developing sociopathic traits as they grow older. They do not learn quickly as other children do and never catch up. Nurses report that ice babies are more impaired than crack babies in this respect.

Rehabilitation clinics in Hawaii now have as many ice addicts as they have cocaine addicts. Withdrawal from methamphetamine is even more difficult than withdrawal from cocaine for many people.

Mr. Speaker, the use of the drug ice has unfortunately become widespread in the State of Hawaii, where its damaging effects are burdening its schools, its health care system, and its drug treatment centers. In only 4 years, it has passed marijuana and cocaine as that State's top drug problem.

I believe we should nip this problem in the bud before it spreads nationwide. It has already begun to surface on the west coast.

Last year, there was a 70-percent increase in ice-related hospitalizations across the country. Emergency rooms in my own district have seen cases recently and other cities in California have reported more use.

This bill would attack distribution by allowing sharply increased jail sentences for ice dealers. As crack is a potent form of cocaine, ice is a more powerful and dangerous form of methamphetamine. This bill would follow current law relating to crack and toughen penalties for crystal methamphetamine dealers.

Someone who sells 5 grams of crystal methamphetamine—enough for 200 hits—would face 40 years in prison—double the current penalty. Smaller scale dealers would receive a penalty of 10 years, up from 5.

Another portion of the bill would direct the National Institute on Drug Abuse to develop methods of treating ice addicts and to help treat babies born under the influence of methamphetamine. Finally, it would develop educational programs to inform kids about the dangers of this terrible drug.

Mr. Speaker, we should learn from the past that we need to act before a drug becomes a serious problem. The social costs of inaction are simply too high.

This bill will crack down on people who want to spread this drug to our kids. It will work to get people off this drug. And it will keep people from starting in the first place.

This bill parallels legislation by Senator DANIEL AKAKA of Hawaii which is pending before the other body.

I invite my colleagues on both sides of the aisle to join me as cosponsors of the Ice Enforcement and Prevention Act of 1990.

OVERTURNING SUPREME COURT DECISION IN HUGHEY VERSUS UNITED STATES

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. GEKAS. Mr. Speaker, I will be introducing legislation soon to overturn the result of the Supreme Court decision in the recent case of *Hughey versus United States*—No. 89-5691—decided on May 21, 1990.

In that decision, the Court held that the language of the Victim Witness Protection Act precluded the award of restitution by a sentencing judge unless granted for those who were victims of the particular crime for which the defendant was convicted. The effect of that decision is to negate restitution as an effective sanction in criminal cases and to disadvantage victims of virtually every kind of crime.

My legislation will make it clear that restitution can be ordered for appropriate victims in cases involving schemes or conspiracies and for victims of conduct incident to criminal behavior.

Mr. Speaker, this legislation is absolutely necessary to address the kind of situation that we face with savings and loan convictions wherein restitution is a major sentencing tool. Unless the Court can look at the broad range of a defendant's conduct in these types of cases, restitution will be reduced to a nullity.

When the Congress developed restitution as a part of the Victim Witness Protection Act of 1982, we intended it to be a strong and effective measure to make victims whole. We intended that criminals no longer be allowed to avoid their responsibility to the victims that they had created.

Mr. Speaker, I urge the support and cosponsorship of all my colleagues and the prompt action of this body for the sake of all victims of crime.

The language of that legislation is as follows:

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Equity for Victims Act of 1990".

SEC. . CHAPTER 232 AMENDMENTS.

(a) CIRCUMSTANCES IN WHICH RESTITUTION MAY BE ORDERED.—Section 3663(a) of title 18, United States Code, is amended—

(1) by inserting "(1)" after "(a)"; and

(2) by adding at the end the following:

"(2) For the purposes of restitution, a victim of an offense includes—

"(A) any person harmed by the defendant's criminal conduct during the criminal episode in which the offense occurred; and

"(B) in the case of an offense involving as an element a scheme, a conspiracy, or a pat-

tern of criminal activity, any person harmed by the defendant's criminal conduct in the course of the scheme, conspiracy, or pattern.

"(3) The court may also order restitution in any criminal case, to the extent agreed to by the parties in a plea agreement under the Federal Rules of Criminal Procedure."

(b) USE OF MAGISTRATES AND SPECIAL MASTERS.—Section 3664 of title 18, United States Code, is amended by adding at the end the following:

"(f) The court may refer any issue arising in connection with a proposed order of restitution to a magistrate or special master for proposed findings of fact and recommendations as to disposition, subject to a de novo determination of the issue by the court."

TROUBLED WATERS: SAFETY RECORD OF OIL TANKERS IS NOW UNDER FIRE

HON. GERRY SIKORSKI

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. SIKORSKI. Mr. Speaker, I rise to bring to the attention of my colleagues the following article from the June 20, 1990, Wall Street Journal. This article outlines in incredibly frightening detail the sorry state of this Nation's oil tanker transportation system. While recently, several major oil spills have attracted national attention, most Americans do not realize that on 2 out of every 3 days, there is an oil tanker accident in U.S. waters. The oil transportation industry is increasingly cutting corners, laying off workers and reducing maintenance. Meanwhile the oilspill liability bill conference committee has met but once since the bill was passed last November.

I urge my colleagues to read this article and I urge the conferees to send a strong bill out of conference quickly, so that these numerous problems can be rectified.

[From the Wall Street Journal, June 20, 1990]

TROUBLED WATERS: OIL TANKERS' SAFETY IS ASSAILED AS MISHAPS AVERAGE FOUR A WEEK (By Caleb Solomon and Daniel Machalaba)

By the time he saw the oncoming ship, it was too late.

The pilot of a Panamanian-registered tanker was completing a complicated turn into the cramped Houston Ship Channel last summer when he saw heading toward him a tugboat pushing an oil-filled barge.

The pilot, Michael B. Gale, frantically radioed the tugboat. "I can't, I can't stop this thing," he said.

The tugboat operator, Mason T. Ware, responded: "I can't stop now. Lord of Mercy, Skipper."

Five seconds later, Mr. Ware cleared his throat and said, "There ain't nothing I can do, Cap."

The collision came 2½ minutes later, as the Panamanian ship, the Rachel B, plunged into the barge, ripping open a hole through which 240,000 gallons of oil flowed into the water near the Gulf of Mexico.

CASUALTY COUNT

As this and countless other incidents such as last week's fire aboard the tanker Mega Borg-Illustrate, the nation's system of transporting oil by tanker is a wreck. On two out of every three days, on average, an

oil tanker in U.S. waters catches fire, explodes, collides with a dock or another ship, breaks apart, experiences mechanical failure, runs aground or winds up in some other kind of accident. Coast Guard accident reports indicate.

"This is the single most important issue we see right now," says Admiral J. William Kime, the Coast Guard commandant.

Last week's Mega Borg incident could have become the biggest spill in U.S. history. For four agonizing days last week, fire roared from the 886-foot Norwegian super-tanker. Crippled, it settled lower and lower, threatening to dump a staggering 38 million gallons of oil into the Gulf of Mexico.

Then, slowly, firefighters won control. In the end only 3.9 million gallons of crude leaked, and most of that burned in the holocaust or evaporated in the searing Texas sun. An environmental disaster had been averted. This time.

"There are problems at all levels of the oil transportation system, including the design and construction of the ships, control of traffic in the harbors, the training and competence of ship crews and the ability of the regulators to oversee the whole operation," declares Peter Johnson, senior associate of the Office of Technology Assessment in Washington.

What put the oil transport system on the rocks, experts say, is a decade of corner-cutting driven by slumping revenues. As crude-oil prices crashed from \$40 a barrel in 1981 to as low as \$10 five years later, the industry hacked spending, reduced tanker crews and began to stretch equipment. Excess capacity and collapsing revenues also spurred independent tanker operators, who transport the bulk of the nation's crude, to delay maintenance and repairs, and to hire cheaper and fewer sailors.

Things are likely to get worse, too. Now demand for oil and tankers to move it is rebounding. Currently, an average of 52 tankers a day deliver 462 million gallons of crude oil, gasoline and other petroleum products to U.S. ports, up from 400 million gallons five years ago, the American Petroleum Institute estimates. Because the U.S. is increasingly dependent on foreign oil both numbers are rising steadily.

But the system is fatigued. Many ships are in poor shape, crews inadequate and practices sloppy. Industry experts expect accidents to increase right along with imports, and possibly faster.

Many new ships are designed and built with less steel, which can make them more vulnerable than old ones. And some government steps intended to prevent problems may have actually made them worse.

"The whole industry has changed and these people have to modernize," insists Sen. Brock Adams, the Washington state Democrat who is pushing various tanker-related legislation. "You now have such a massive world-wide movement of oil you have to treat it as dangerous."

Industry officials don't wholly disagree. They too worry about aging ships and human error by poorly qualified crews and officers. "There is room for considerable improvement," concedes Tormod Rafgard, managing director of the International Association of Independent Tanker Owners, a trade group in Norway. "But it is exaggerated to say this is an unsafe system; 99.99% of the oil is coming in without problems. It is a good system."

In fact, while definitive statistics on all tanker troubles aren't available, the number of large spills (10,000 gallons or more) in the

U.S. has held at six or seven a year for a decade, says Richard Golob, publisher of Golob's Oil Pollution Bulletin. But expectations of safety have risen mightily, especially since the Exxon Valdez dumped nearly 11 million gallons of crude into cold Prince William Sound 15 months ago.

"The boundary between acceptable and nonacceptable accidents has changed," says Terje Staalstrom, a manager for Oslo-based det Norske Veritas, a ship classification society.

And during the '80s, the pressure to save money also intensified. So upkeep of ships, new and old, has suffered. "The majority of large tankers are out of date, over-age and in many cases poorly maintained," Paul Slater, chairman of the ship finance firm First International Financial Corp., told a tanker conference in California last week.

A long period of depressed shipping rates that began in the mid-1970s encouraged owners to postpone maintenance, particularly on idled vessels. By 1985, a typical large 250,000-deadweight-ton tanker was fetching a spot charter rate of around \$5,000 a day. But the bare-bones cost to run it was \$6,000 to \$7,000 a day, says George Blake, a director of Overseas Shipholding Group.

Even today's day rates for large tankers of close to \$30,000 are \$10,000 below what's needed to justify replacing an old ship with a new one, says the tanker-owner trade group. So, says the group's Mr. Rafgard, while the "tanker fleet is getting older, this problem certainly will not disappear."

Some of the ship classification societies that inspect vessels before they can be insured now are cracking down. "We deleted four ships in April due to overdue maintenance or noncompliance with requirements and we deleted 24 in March," says Mr. Staalstrom of det Norske Veritas. "I'm not afraid of old ships. I'm afraid of a management that isn't taking care of its ships," he says. "You have accidents."

While the cause of the Mega Borg fire is still unknown, an inquiry has turned up 14 pieces of equipment or parts of the ship overdue for maintenance and inspections. In the pump room, where the fire may have begun and traditionally one of the most dangerous areas of a tanker, oil may have been leaking from a gauge, according to testimony at an investigatory hearing. The captain, C.M. Mahidihara, told the panel the ship was operating with a cracked storage tank.

PROBLEMS WITH NEW TANKERS

New tankers ought to be less troublesome, but that may not be so. In recent years, large tankers have been built with 10% less steel. Architects have tried to compensate for the lighter weight with computer-aided design, high-strength steel and improved coatings to protect the thinner metal from cracking and corrosion.

Some experts endorse such designs. "Before, we had to put in more steel because we weren't quite sure how close to limit we were," says Garry Beaumont, chief ship surveyor of Lloyd's Register of Shipping, a London-based ship-classification society. But he concedes that strong-but-thin steel "will age faster and use up its corrosion resistance quicker," and he frets that the next generation of tankers is being designed with even less steel.

Some are outraged by use of thinner steel. Modern tankers are "flimsy and have too narrow a margin for error," says Arthur McKenzie, director of the Tanker Advisory Center in New York and a former Exxon Corp. shipping executive. Lloyd Bergeson, a

retired naval architect, says modern tankers may be "perfectly adequate in strength to withstand buffeting by ocean waves, but when they hit the ground they don't have the strength to withstand the impact."

Mr. Bergeson labels the Exxon Valdez, launched in 1986, an example of "a modern ship that has been cost-engineered too far." Another naval architect contends that the Valdez and Exxon Long Beach, its sister ship, have the least steel weight for their size of any U.S. tanker.

COAST GUARD STUDY

Exxon defends the Long Beach and the Valdez, saying the Valdez hit Bligh Reef so hard that even a double hull like those now urged in some quarters would have torn.

In any case, an internal Coast Guard tanker study commissioned after that spill reveals a "significant number of failures in ships over 700 feet in length and less than 15 years old." In particular, tankers on Alaskan runs were "experiencing a significant number of serious structural failures" that had frequently resulted "in significant loss of cargo," the study says.

Quality of construction in newer vessels is also a problem, the Coast Guard says, so it is increasing inspections of some U.S. tankers. "We found that the workmanship in the shipyards with high-tensile steel was not as good," says Adm. Joel D. Sipes, chief of the agency's Office of Marine Safety, Security and Environmental Protection. He says shipbuilders have difficulty welding the material, and often internal framework is improperly designed.

Three months before the Exxon Valdez spill, oil was discovered leaking one night from a tanker called the Thompson Pass while it was loading crude at the Port of Valdez. Some 71,000 gallons spilled, most of which was recovered. Divers discovered three long fractures in the ship's bottom plating, according to an Alaskan water-pollution report. It concluded that fractures in the Thompson Pass, built in 1978, were "most probably a result of original construction heat-treatment procedures, plus nine years of North Pacific operations."

Says William Lockwood, president of Interocean Management Corp. of Philadelphia, manager of the ship: "We have had a problem with the design and have taken steps to correct it" by adding structural members to alleviate stresses.

TIRED CREWS

Another big problem with tanker transport is that many vessels now operate with a third less personnel than a decade ago. "We have seen a dramatic decline in the size of crews, and critical tasks are falling to a very few number of people," says John Bobb, of the Maritime Institute of Technology Graduate Studies, which trains officers in Linthicum Heights, Md. "Fatigue is beginning to take its toll," he says.

In its report following the Exxon Valdez spill, the Coast Guard devotes an entire section to oil-tanker crew fatigue and manning problems in the industry. Sixteen-hour work days are common, it says. Coast Guard inspectors tell of taking to chief mates immediately after their arrival in port to set up inspection schedules. "Some mates were so exhausted that they fell asleep during these meetings," the report says.

Aboard the Union Oil Co. tanker Coast Range, "a lot of machinery is not taken care of because we have no time," says boatswain George Lua. "There aren't enough people. There's just too much work." The ship, which makes frequent stops between Puget

Sound and Los Angeles, "is in and out of port so much that we are too busy hooking up hoses and tying up the ship, docking and undocking," to do regular maintenance, Mr. Lua says.

A Unocal spokesman dismisses Mr. Lua's grievances as a "standard seaman's complaint." The spokesman says, "You'll get that comment from any seaman that there isn't enough time to do the work." He says the Coast Range is a modern, well-maintained, double-bottom tanker.

A short-handed and exhausted crew on the Greek tanker World Prodigy contributed to the spill last June of 290,000 gallons of oil into Narragansett Bay, according to a suit filed against the ship owners by Rhode Island. The weather was clear and the seas tranquil that afternoon. But Captain Iakovas Georgoudis had been working almost nonstop for a full day and a half before the ship hit a reef, he told a National Transportation Safety Board hearing.

Then the half-hour preceding the accident turned hectic.

The World Prodigy was informed it would unload at two ports instead of one. As the tanker approached the hard-to-navigate shoreline, the captain testified, the chief officer went below to calculate what the ship's new distance from the ocean floor would be following the discharge of some of its cargo. As the only officer on the bridge, the captain became lookout and navigator. He had to make sure his orders were carried out, and he had to plot positions on navigation charts. When the chief officer returned with incorrect calculations, the captain started redoing the math himself. As a local harbor pilot was about to board, the World Prodigy hit a reef.

Thomas H. Walsh Jr., an attorney for the World Prodigy (which is managed by International Maritime Agencies Co. of Athens), argues that the ship had the full complement of seamen required for vessels flying the Greek flag. The captain, he maintains, wasn't fatigued because he had been able to take naps on a cot on the bridge. The suit is pending.

Tankers face some of their biggest risks pulling in and out of port, since the ports themselves are changed little while ships have grown. Some lanes in the Houston Ship Channel, connecting the city's port to the Gulf of Mexico 50 miles away, are so tight that when two vessels approach each other, one often has to give away and risk grounding along the side. Local seamen call the process "Texas Chicken."

Last summer's Rachel B incident in the channel occurred when the Rachel B was trying to avoid a jutting sandbank. Had the channel been dredged, "this accident most probably would not have happened," the Coast Guard says.

OFFSHORE HAZARD

Giant tankers too big to come into most ports pose other problems. They anchor at sea and pump their cargo into smaller vessels that can dock. The practice, called "lightering," is what the Mega Borg was doing when it exploded. The oil industry estimates giant oceangoing tankers lighter between 12 million and 63 million gallons of crude daily off the U.S. coastline, and the amount is increasing as imports rise. Lightering entails risks of a collision in addition to pump, hose or other problems that could cause a spill. Shipping executives insist there's little hazard.

Dave Caldwell, Chevron Corp.'s assistant fleet manager and a former captain of a

vessel lightering between the Gulf of Mexico and a port in Pascagoula, Miss., says all 16 years the company has operated there have been incident-free.

As was the case with the Mega Borg, most lightering occurs beyond the 12-mile limit of U.S. waters, which basically puts any foreign-flag vessels involved beyond the reach of U.S. law. "You don't have the Coast Guard on top of you," says Gary Gehring, an instructor at the U.S. Merchant Marine Academy in New York.

Even in the U.S., much of the oversight—that is pertaining to construction and maintenance—is in the hands of classification societies, which are paid by ship owners to prove their vessels are worthy of insurance. But the credibility of these organizations is under attack.

They've become "immersed in a bitter competitive battle to class ships," says Harry Keefe, chairman of the American Institute of Marine Underwriters. "This has had a big impact on their effectiveness. Some ship owners want to go with the society that will cost them the least." Now some Scandinavian insurance underwriters are establishing their own corps of ship inspectors to avoid reliance on the societies.

Foreign tankers that never enter U.S. waters need no insurance for oil spills. If they cross the territorial boundary they must post bond with the Coast Guard based on their size, but it's a minimum. For instance, though it had some \$700 million of insurance, the Mega Borg legally had to have just \$10.3 million, insufficient for a major cleanup.

Current law puts all the liability on the tanker owner, not on the owner of the oil it's carrying. Congress is considering whether also to make the owner of the oil partially liable.

Congress is also considering raising minimum liability insurance levels and setting maximums, a move opposed by many in the oil industry. "As you continue to raise liability requirements and punishments, you're going to have good operators say it's not worth putting myself in jeopardy," says Jerry Aspland, president of Atlantic Richfield Co.'s marine subsidiary.

ARCO plans to stop transporting other companies' oil on its tankers through Cook Inlet, Alaska, because of spill liability fears. And already, one of the world's largest oil companies, Royal Dutch/Shell Group, is curbing the number of its ships in U.S. waters and will hire more independents instead.

The most controversial solution has been the push for double hulls. Proponents argue that by adding a second, protective hull on the bottom and sides of a tanker, spills from groundings and collisions would be reduced.

Critics—and there are many among oil executives—say any extra protection isn't worth the expense, though it's unclear what that would be. Some advocates say a double hull adds about 10% to the cost of new \$90 million tanker built in a Far Eastern shipyard. But others advocate designs that could raise costs as much as 25%. Opponents also argue that double-hulled tankers face a greater risk of losing buoyancy after a severe grounding, complicating salvage efforts.

Some propose more offshore unloading facilities like the giant Louisiana Offshore Oil Port, a platform 19 miles off the coast but designated by law as a U.S. port. Tankers unload about 12 million gallons of crude a day that moves to shore via pipeline. Built by five oil companies for about \$800 million,

the facility says it has had no major spill in its eight years of operation. Advocates say if there were one, it would be a long way from beaches.

Phillips Petroleum Co. says it and other companies are looking at the idea of building such a port off Texas. Cost estimates range from \$500 million to \$1 billion. That's substantially less, proponents note, than the more than \$2 billion Exxon has spent so far for its Alaskan cleanup.

THE PERILS OF TRANSPORTING OIL BY SEA

Among the most common problems and mishaps facing oil tankers:

Fires and explosions: These can happen at almost any stage of a tanker's journey but are most likely when the tanks are empty (the ballast voyage). Fumes trapped in the tanks are ignited by sparks generated by the cleaning process. Vapors can also build up in the pump room, which may have been the case in the Mega Borg spill.

Collisions at the entrance to or in ports. In the collision of the Phillips Oklahoma and another ship in the River Humber, England, in September 1989, its side tanks were penetrated and it lost 750 tons of crude oil.

Breakups in heavy weather. In 1988-89 three tankers—the Athenian Venture, carrying 30,000 tons of products, the Odyssey, carrying 130,000 tons of oil, and the Maasguar, carrying 30,000 tons of chemicals—all sank fully loaded, with the loss of all 79 crew members.

Running aground while entering or leaving ports. This has caused many spills including the disastrous Exxon Valdez spill in March 1989.

Overflows while loading or discharging oil. In August 1989 the Minerva over-filled tanks and discharged 2 tons of crude into the Delaware River.

Hull cracks, especially on large American tankers making the Alaska run. In January 1989 the hull of the Cove Leader cracked while loading in Alaska, spilling 10 tons of crude.

Poor maintenance and poor design: These may have contributed to the loss of a plate on the Pacificos, which spilled 10,000 tons of oil off the coast of Africa in October 1989.

Contact damage: Hitting the dock or another ship can rupture the hull. In 1989 the Stolt Sea was hit while moored at Avondale, La., on the Mississippi River, losing 200 tons of bunker fuel oil.

THE INSULTS WERE OUT OF ORDER

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. OWENS of New York. Mr. Speaker, Nelson and Winnie Mandela are like commanders on furlough from a desperate and bloody war. Oppression is still intense in South Africa. Innocent people are still being killed daily. Twenty-four million black people are still being treated like inmates in a concentration camp. Daily life is still a battleground.

The majority of Americans have received the Mandelas with full recognition of the heroes that they are. Only a few leaders have chosen to behave like thugs and hurl insults at our noble guests. Some of these slurs have stooped so low as to charge that Nelson Mandela is like H. Rap Brown and Willie Horton.

These base remarks were more than merely bad manners and poor taste. Such derogatory references designed to degrade our guests have given comfort to the enemy and encourage possible violent actions by fanatics and terrorists.

Common sense and courtesy require that these soldiers from the most heinous struggle for freedom on this globe be treated with dignity and respect. We have had one Holocaust in this century and we deeply regret the fact that we could not prevent it. In South Africa there is a desperate war against genocide raging and we are all in a position to stop that war and create a new democracy.

To the fascists who hurl slurs, I offer the following Rap poem as a summary of my indignation:

DON'T INSULT MISTER MANDELA

In South Africa
Fires still burn
Hungry children still bleed
The majority are still the victims
Of elite apartheid greed.
Critics snug in a safe powerful land
Fire petty questions at the iron-willed man.
Hitler's ghost
Stands at the door
Adolf is messing with Mandela
On the U.S. House Floor.
They do the hoodlum sin
They throw slime at great men
Loud mouths mark the terrorist target.
Please no more assassination
In this generation
For a starter
Forget the making of a martyr.
Mandela begs for peace
Let all false indictments cease.
Verbose vermin be still
Some heroes you'll never kill
Your gall and envy has no sting
Defiant Nelson still says his thing.
Fascist go home!
For you the House chamber
Is nowhere to roam.
Let's put all Nazis to bed
Let's make Hitler real dead.
Go tell the headline hunting scavenger
That "Willie Horton is more like" his
mama!
Time to use our star spangled clout
Time to vote bold bigots out.
Mandela begs for peace
Let all evil indictments cease.

CENTERS FOR DISEASE CONTROL

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. JACOBS. Mr. Speaker, the following are excerpts from the volume entitled "And the Band Played On" by Randy Shilts. The book has been described by Newsweek as "compelling and often shocking" and "The best book yet on AIDS."

CENTERS FOR DISEASE CONTROL, ATLANTA

The vial with two ounces of LAV arrived at the Atlanta airport shortly after midnight. Given the fact that the last batch of LAV, packed in dry ice in Paris and shipped to Atlanta through the mail, had been dead on arrival, Dr. Cy Cabradilla from the CDC molecular virology lab took no chances this

time, clearing the virus's passage through New York quarantine authorities himself and personally waiting for the plane from JFK airport to arrive. As soon as he got the virus back to his CDC lab, Cabradilla started tests to make sure it had survived. By the next morning, he had isolated the virus and begun growing it in lymphocytes extracted from the umbilical cords of newborn infants. With this virus, the CDC could make its own antibody tests, which would allow researchers to trace LAV in the blood and tissue samples they had been collecting in the two and a half years of AIDS work.

By the end of the week, excitement had spread through the cluster of brick buildings on Clifton Road. The virus was growing rapidly. Soon, lab staffers were to test stored specimens. One after another, the blood revealed the presence of LAV antibodies. The positive antibody tests came from all the AIDS risk groups, including gay men, Haitians, drug abusers, hemophiliacs, addicts' female sexual partners and their babies. Fresh blood samples from AIDS patients were flown in from Los Angeles and San Francisco, and the results were the same. These people were infected with LAV. The French had discovered the cause of AIDS.

MARCH, WASHINGTON, DC

"We know we have the cause of AIDS for sure," said Bob Ballo.

Jim Curran had flown to Washington from Atlanta with the codes on 200 blood samples of AIDS cases and controls that the Centers for Disease Control had sent Gallo in January. Sitting with Gallo in a French restaurant, * * *

After the years of frustration, the announcement of the HTLV-III discovery deserved elation. Don Francis thought as he watched the live Cable News Network coverage of the Heckler press conference in the CDC's television studio with other members of the AIDS Activities Office. Instead, he felt burdened by the conflicts he saw ahead. The French were being cheated of their recognition and the U.S. government had taken a sleazy path, claiming credit for something that had been done by others a year before. Francis was embarrassed by a government more concerned with election-year politics than with honesty. Moreover, he could see that suspicion would play a greater, not a lesser role in the coming AIDS research. Competition often made for good science, Francis knew, lending an edge of excitement to research. Dishonesty, however, muddled the field, taking the fun out of science and retarding future cooperation.

The New York Times echoed the concern in an editorial shortly after the announcement. "What's going on?" the piece asked. "Since even certain discovery of the guilty virus will not produce a vaccine for at least two years, and even better blood screening cannot occur for months, what you are hearing is not yet a public benefit but a private competition—for fame, prizes, new research funds * * *. Some kind of progress is surely being made. The commotion indicates a fierce—and premature—fight for credit between scientists and bureaucratic sponsors of research. Certainly no one deserves the Nobel Peace Prize."

In Paris, the Pasteur scientists were aghast at the short shrift their work was given. Willy Rozenbaum considered Heckler's performance no more than a political stump speech. "Elect us and we give you

antibody test in six months," he mimicked bitterly. "Elect us and we give you vaccine in two years."

Three days later, Luc Montagnier revealed his own suspicions when he told * * *.

The United States government, which had so brazenly transformed Gallo's work into political capital for the Reagan administration, tenaciously held on to the myth that Gallo had discovered the AIDS virus. This meant adhering to Gallo's notion that the virus was a relative of the HTLV family that Gallo also had discovered, and that he had the right to name the virus, as viral discoverers always do. Ultimately, it had taken an international committee to rule that, no, this was not a leukemia virus and, no, Dr. Gallo did not have the right to name it. To smooth ruffled feathers, however, the committee arrived at a compromise name. Human Immunodeficiency virus, or HIV.

Throughout 1986, however, the Pasteur pursued its depositions and Freedom of Information Act requests against the National Cancer Institute. It slowly became obvious to even the most obtuse government lawyers that the lawsuit could prove very embarrassing for the United States government. A pithy memorandum from Dr. Don Francis on the potential of such a suit warned the administration, "If this litigation gets into open court, all of the less-than-admirable aspects will become public and, I think, hurt science and the Public Health Service. The French clearly found the cause of AIDS first and Dr. Gallo clearly tried to upstage them one year later." On the most central issue of whether HTLV-III was the product of viral pilfering, Francis posed the hypothetical question: Could the prototype isolates of HTLV-III and LAV be identical merely by coincidence? And he answered, "Probably not." However, two years later, at the request of Dr. Gallo, Francis wrote to Gallo, "I do not now, nor ever have, supported the claim that you or anyone in your laboratory 'stole' LAV."

For his part, Gallo dismissed the notion with a wave of his hand. He already was a star in the field of human retrovirology without the discovery of HTLV-III, he said. Of course, he wanted a Nobel Prize and he believed he deserved one, but he would not commit a scientific felony to achieve it.

Facing the possibility of open court hearings, the U.S. government began to reconsider fighting the French. In the early months of 1987, Dr. Jonas Salk shuttled between the warring scientists like an ambassador at large, forging a compromise. Ultimately, the settlement was signed by President Reagan and French President Jacques Chirac in a White House ceremony. It was one of the first times in the history of science that heads of state were called upon to resolve a dispute over a viral discovery.

The settlement accorded each researcher partial credit for various discoveries on the way to isolating HIV. It was from this settlement, and because none of the mainstream press had pursued the controversy in any depth, that the pleasant fiction had arisen that Drs. Robert Gallo and Luc Montagnier were "co-discoverers" of the AIDS virus. To this extent, Gallo had won. Now, moments before the president was to deliver his first speech on the epidemic, Gallo accepted his award for being a "co-discoverer" of HIV.

BAN THE AERIAL SPRAYING OF TOXIC PESTICIDES

HON. JIM BATES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. BATES. Mr. Speaker, today I introduce legislation to prohibit the aerial spraying of toxic substances over densely populated areas.

There is an injustice being perpetrated upon the people of the State of California including those in my district. Aerial spraying of toxic pesticides continues unabated, spraying pesticides whose properties and health risks are, at best, unknown. One commonly used pesticide malathion, has been linked with nausea, dizziness, behavioral changes, and other symptoms. The long-term risks associated with this pesticide are unknown.

Yet, when a state of emergency is declared because of an infestation of crop-destroying insects, spraying occurs over heavily populated areas even before the residents of that area are allowed to voice their concerns in a public forum.

The most comprehensive study done on malathion's effects was performed by the Japanese. The research concluded that malathion is extremely toxic to the central nervous system, and its application by aerial spraying should be banned. Thirty years ago, the Japanese Government heeded the words of this research and as of today, the aerial spraying of malathion over rice fields is still banned.

Mr. Speaker, even if no conclusive or comprehensive studies in this country have proven dangers of malathion to humans, I feel it is imperative to ban at least the wide-scale and indiscriminate spraying of this toxic pesticide. I urge my colleagues to cosponsor this legislation.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Federal Insecticide, Fungicide, and Rodenticide Act, the Administrator of the Environmental Protection Agency shall, not later than 6 months after the date of the enactment of this Act, classify under section 3(d) of such Act toxic pesticides for a use which prohibits the aerial spraying of the toxic pesticides over areas which have population density greater than 1,000 persons per square mile.

AID FOR TRADE ACT

HON. PETE GEREN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. GEREN of Texas. Mr. Speaker, in these times when the cold war is coming to an abrupt end, a great sense of victory is being felt by freedom-loving people everywhere. But as with any war, great rebuilding is left to do, and it is incumbent on the victors to provide the helping hand.

Our ability to extend that hand, however, is now tempered by our limited resources. Al-

though still one of the richest countries on earth, our generosity must be tempered by the reality of our ever-increasing national debt. We would like to help rebuild Eastern Europe from the ruins of communism, much like we did in the period after World War II, but we simply do not have the wallet.

Unlike the days of yesterday, when world power was measured in military might, power today is measured in economic strength and stamina; and unlike the days following the Second World War when we were the only economic power left standing, today we have many economic competitors. We have fallen behind in the manufacture of many goods, and are being aggressively pursued in others. It is time to take care of our own and turn our good-will toward home.

Today, I have introduced the Aid for Trade Act, a bill designed to get a return on our foreign aid investment. The Aid for Trade Act would limit the use of unconditional foreign aid, and would tie U.S. aid to the purchase of U.S. goods and services. It would also require that at least 40 percent of all U.S. aid be used for the construction, design, and servicing of capital projects.

This aid concept is proudly practiced by our trading partners. Canada, Japan, West Germany, France, Italy, and Britain provided over \$10 billion in similarly restricted foreign aid and mixed credit assistance to other countries in 1988. Often, these countries will use engineering and design aid to write specifications for projects that can only be met by their goods, guaranteeing a market for those goods. Mr. Speaker, it is time we wised up.

The concept of tied aid has been the norm for our economic partners and competitors for years. For example, from 1984 to 1987, Japan, West Germany, and France restricted 70 percent of their foreign aid to capital intensive projects that produced large amounts of capital goods exports for their domestic industry. During that same period, we freely gave away 94 percent of our foreign aid in cash grants.

This bill would establish a \$1 billion Eastern Europe loan guarantee program to provide risk and default insurance for American companies operating in the newly opened markets of Eastern Europe. Small business would get a boost as well from a \$20 million direct loan program administered by the Overseas Private Investment Corporation.

While giving lipservice to the aid-for-trade idea, the administration has done little to put it into practice. These are revolutionary times that call for revolutionary changes in the way we do business with the world. Foreign aid must be seen as an investment in the future of our country as well as a part of our effort to help the less fortunate around the world.

We have an opportunity to help fledgling democracies along their path to maturity, but our responsibility to ourselves has been neglected far too long. Aid for trade is tried and true. We need only look to the record of our competitors to see the results. It is time we took a chapter from their book and embark on an approach to foreign aid that makes sense

EXTENSIONS OF REMARKS

for America. Mr. Speaker, I ask for the speedy consideration and passage of the Aid for Trade Act.

CONGRATULATIONS TO MARTIN HUMM ON 30 YEARS OF SERVICE

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. POSHARD. Mr. Speaker, I rise to congratulate a great friend of mine and a great American.

Martin Humm is the county chairman of the Democratic Party in Hardin County, IL. Hardin County is along the Ohio River in deep southern Illinois, a place of tremendous natural beauty, and some of the finest people I have ever encountered.

I rise to salute Martin because this weekend he will celebrate his 30th year of service in his post as county chairman. That's a distinguished record of service by any standard, and apparently the people in Hardin County agree, because Martin has never been challenged in a single election. After first becoming involved in 1960 as a precinct committeeman, Martin was only 2 weeks later elected chairman, and he has served in that capacity ever since.

You want a Yankee Doodle Dandy? Martin was born July 3, 1921, and he has lived in southern Illinois all his life. He is 1 of 10 children, the 7th son, and he and his wife, Pauline, are the proud parents of one son, Michael, who along with his wife, Maryl, have blessed Martin and Pauline with three grandchildren, Spencer, Kate, and Marty. Marty is named for his grandpa. Martin has dedicated himself to a life of hard work and devotion to his family and his community. He is very justly recognized today.

One highlight of his came in 1960 when he shook hands with President John F. Kennedy during a stop in Paducah, KY. Like me he shares a great reverence for President Kennedy.

Later President Jimmy Carter called Martin at work to get his advice on how to run his campaign. There are few if any public servants in Illinois, including this one, who have not at one time or another sought Martin's advice and counsel.

Martin's guiding motto during all of this time has been to help anyone and everyone who needed it. That's what public service is really all about, and although Martin has been helpful to the Democratic Party, he has really been helpful to all of southern Illinois.

Congratulations to him on his years of public service, and here's wishing you many happy returns.

We need more people like Martin Humm. But short of that, I'm extremely proud to say I know the original.

HOUSE JOINT RESOLUTION 588, SOUTH AFRICAN FREEDOM WEEK

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mrs. LOWEY of New York. Mr. Speaker, as a cosponsor, I rise in strong support of House Joint Resolution 588, to designate the week of Nelson Mandela's visit to the United States as "South African Freedom Week."

This resolution is an appropriate gesture of respect and support for Nelson Mandela and his tireless efforts to end apartheid. It is also an important reaffirmation of our support for ending the racist system of apartheid, which continues to brutally oppress the black majority in South Africa.

The policy of apartheid is a policy of racism, violence, and oppression. It is incumbent upon freedom-loving people in the United States and around the world to do everything we can to bring an end to this ongoing travesty of justice. We must not rest until the last vestiges of apartheid have been completely eliminated. To do anything less would be to abandon the values of freedom and democracy for which our Nation stands.

Since my election to Congress in 1988, I have been extremely active in the battle to end apartheid in South Africa. One of my first actions as a Member of Congress was to cosponsor H.R. 21, a bill to impose additional, stiff economic sanctions against the racist regime in Pretoria. This bill, which is sponsored by Representative RON DELLUMS, contains the most comprehensive economic sanctions against South Africa that have yet been proposed.

In June 1989, I joined 50 of my colleagues in writing to President Bush to urge him not to meet with F.W. de Klerk, who was then in line to succeed former President Botha of South Africa, unless the Government of South Africa released all political prisoners, terminated the state of emergency, and legalized all political organizations.

In addition, I participated in a press conference with other antiapartheid Members of Congress, publicly urging President Bush not to legitimize Mr. De Klerk by meeting with him at a time when South Africa was demonstrating complete intransigence on the subject of reform. As a result of these efforts, President Bush did not meet with Mr. De Klerk, who soon after became the leader of the racist apartheid regime.

In August 1989, I joined 57 members of the Congressional Human Rights Caucus in writing to President Botha to urge him to grant clemency to 14 South African activists who were sentenced to death based on the doctrine of common purpose. This controversial doctrine has been used with alarming frequency to sentence people to death for engaging in political protests against the injustices of apartheid. It has resulted in the deaths of innocent people in South Africa.

In March 1990, following Nelson Mandela's release from prison, I joined other Members of Congress in cosponsoring House Concurrent Resolution 270, a resolution expressing the sense of Congress that existing sanctions against South Africa should remain in place so long as the fundamental structure of apartheid has not been dismantled.

It is true that the Government of South Africa has taken some steps toward reform, including the release of Nelson Mandela, the lifting of the state of emergency, and the decision to lift the ban on black political organizations. These actions were steps in the right direction.

However, the structure of apartheid remains in place in South Africa. The Government is still holding thousands of political prisoners, and the black majority is still being denied fundamental human rights. Under existing laws, black South Africans cannot choose where to live, work, or send their children to school. Even Nelson Mandela, although he is free, is still being denied the basic right to vote and thus have a say in how the future of South Africa is determined.

I am firmly convinced that recent changes in South Africa, including the release of Nelson Mandela, are a direct result of international pressure. It would be a grave mistake to ease that pressure now. Only by maintaining sanctions can we help to speed the process of inevitable change in that nation.

As a Member of Congress, I have been extensively involved in efforts to combat apartheid, because I believe that all of us have a responsibility to take a strong stand against racism, bigotry, and oppression, wherever they may be.

For that reason, I am proud to strongly support House Joint Resolution 588, designating "South African Freedom Week." This resolution should be a reminder to us all that we cannot stand idly by as the racist system of apartheid continues to terrorize the black majority of South Africa. The United States as a whole must stand firm against apartheid, and we must do everything we possibly can to bring about fundamental change in South Africa.

On the occasion of Nelson Mandela's visit, we pay tribute to the conviction with which he has fought the scourge of apartheid. But we must do more. We must remember that it is our responsibility to take strong actions to ensure that Nelson Mandela's vision of freedom and democracy becomes a reality for all South African citizens.

THE NEED TO CUT PENTAGON SPENDING

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. ATKINS. Mr. Speaker, I rise today to urge my House colleagues who are participating in the budget summit negotiations to support real cuts in the Pentagon budget that will bring defense spending in line with the threats we face.

Since 1981, spending on the military has gone up nearly 25 percent with an adjustment

for inflation, while spending on nondefense domestic discretionary programs has decreased 19 percent. While no one would debate the need for a strong national defense, the need for excessive Pentagon spending at a time when the threat of armed confrontation has clearly diminished, and when we face strong economic challenges from abroad, must be debated. Do we need 75 B-2 bombers at a cost of \$62 billion, an MX missile rail-mobile system at a cost of \$5.4 billion, 845 Trident II (D-5) missiles at a cost of \$36 billion, and the strategic defense initiative at a cost of over \$500 billion, when our health care and education systems are in shambles, our infrastructure is crumbling, our economic competitiveness is lagging, and our environment is in dire need of further protection? I say "no."

Obviously, the decisions we face on where to cut our defense budget will not be easy ones. Almost all of us have defense facilities or defense-related industries in our districts, and we will all be tempted to support defense cuts not in areas where they make the most sense, but in areas where they will do the least economic harm to our constituents. I believe, however, that we must resist the temptation to turn the defense budget into a public works budget, and instead take a long, hard look at the threats we face and what resources we need to control those threats.

Furthermore, I believe that if the diminishing threat to our military security is not enough to bring about real cuts in the defense budget, then a close look at the urgent domestic needs we face should be.

As a freshman member of the House Appropriations Committee, I have been amazed to see just how thin crucial domestic spending programs have been stretched. As a member of the subcommittee that oversees funding for the Environmental Protection Agency, for example, I have heard from countless State and local officials about the enormous costs they face in attempting to construct new sewage treatment facilities and filtering plants to comply with the Clean Water and Safe Drinking Water Acts. That same subcommittee funds the Department of Veterans Affairs, and I have heard from scores of doctors, administrators, and veterans at VA hospitals about sick and aging vets who must wait weeks or months for treatment due to inadequate staffing and facilities. And it funds the National Science Foundation, whose scientists continue to plead for help in improving the sorry state of math and science education in our country.

The list goes on and on. Quite simply, we as a nation face crucial domestic spending needs, and we have not been providing the funds we need to address them. The biggest losers have been our State and local governments. Our last two administrations have conjured up the charade of lowering the Federal tax burden and Federal contributions to crucial domestic programs so that State and local governments are forced to pick up the tab themselves. Well now the joke is on all of us, as over 35 of our Nation's 50 States are currently experiencing severe budget woes of their own. Sadly, it is the programs that really matter to future generations—programs such as education and environmental protection—that are now being underfunded. It clearly is

time to take advantage of the outbreak of peace in Europe, and to once again embrace the Federal responsibility of investing in America's future.

Mr. Speaker, we obviously will need to look at a number of different options for reducing our budget deficit in the coming months. However, when a nation isn't producing the scientists and engineers it needs to compete in the future global marketplace, when close to 100 of its cities aren't complying with the most basic clean air laws, when 41 percent of its bridges are either structurally deficient or obsolete, then its biggest national security threat comes from pressing needs at home, rather than from antiquated fears left over from the cold war. It is for this reason that I recently joined several of my colleagues in signing a letter to the House Members who are participating in the budget summit expressing the belief that the single biggest contribution to the deficit reduction process should come from the Pentagon. It's time to get our spending priorities in order, and direct taxpayers dollars to areas that will truly keep America strong.

THE DEFENSE ENVIRONMENTAL ACTIVITIES ACT

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. HOCHBRUECKNER. Mr. Speaker, I rise today to announce introduction of the Defense Environmental Activities Act. This legislation is a bipartisan effort to increase the Department of Defense's ability to clean up its facilities nationwide and bring its activities into compliance with this country's environmental laws.

The act also provides for increased research into clean up technologies and pollution prevention by the military services, establishes a category for environmental activities within the defense budget, and requests a report on management of personnel carrying out the Pentagon's environmental program.

Original cosponsors of this legislation include Representatives CHARLES E. BENNETT, JOSEPH BRENNAN, GEORGE E. BROWN, JR., NORMAN D. DICKS, LANE EVANS, VIC FAZIO, PETE GEREN, LEE H. HAMILTON, FRANK HORTON, RAYMOND J. McGRATH, FRANK PALONE, JR., MARTIN OLAV SABO, ROBERT F. SMITH, JOHN S. TANNER, and JOLENE UNSOELD.

No one should underestimate the task before the Pentagon. While many are aware of the problems facing the Department of Energy, fewer are aware of the environmental issues facing the Department of Defense [DOD]. According to the February 1990 annual report on the Defense Environmental Restoration Program for fiscal year 1989, 14,401 sites were identified at 1,579 military installations in the United States which require evaluation for problems that may pose hazards to public health or the environment.

Since these figures were compiled in September 1989, however, the number of sites has already grown to over 15,000, and more

are expected to be identified. There are an additional 7,100-plus formerly used properties which DOD may be responsible for evaluating and cleaning up. Furthermore, the DOD has been named as a potentially responsible party at Superfund sites. Federal properties under the Pentagon include Navy, Army, Air Force, and Defense Logistics Agency installations.

Of the sites evaluated to date, nearly 70 percent are found to require further work. However, the 1990 annual report states that only 287 of the 14,401 sites had completed cleanups. While another 905 have work underway, clearly the Pentagon has a huge task on its hands. The DOD is responsible for the greatest number of Federal facilities that generate and dispose of hazardous waste, as well as the greatest number of hazardous waste sites in this country.

The cost of cleanup and compliance with existing and anticipated environmental laws for the military facilities will cost billions of dollars and affect every State in the Nation. Without the needed funds, however, the Pentagon will be unable to carry out the job it needs to do. That is why we are introducing this bill today.

The Defense Environmental Activities Act will increase the Pentagon's budget request by \$333 million to \$1.15 billion in fiscal year 1991 for the defense environmental restoration account [DERA], which provides for site evaluations and cleanups; will provide an additional \$285 million for environmental compliance activities, above the Pentagon's designation of \$915 million for this area; and makes \$80 million available for research into cleanup technologies and pollution prevention. These funds would be provided from shifts within the defense budget once the level of defense spending is established for fiscal year 1991.

DOD has already demonstrated its unmet needs of at least \$200 million with requests for a \$145 million in fiscal year 1990 reprogramming and an expected \$60 million in fiscal year 1991 reprogramming.

In addition, this legislation establishes a budget category for environmental activities and requests a report on management of the personnel carrying out the Pentagon's environmental program. Every aspect of the military's budget is affected by environmental requirements—military construction, operations and maintenance, research and development—yet it is difficult determining how the Pentagon's dollars are being spent in this area.

Given the size of this program, DOD can not afford to underfund its activities, especially if it is ever going to get beyond the basic site inspections to the actual work of designing cleanup plans and doing restoration work. Since current funding to sites is based on a worst first approach, thousands of sites are in line for funding that will take years to get. Only 189 remedial actions were taken in 1989 and 118 of those were at the very worst case national priority list [NPL] sites. Less than 100 of DOD's installations are listed on the NPL. Even at NPL sites only half received remedial actions by 1989, and some still have not even

had the basic second stage remedial investigation/feasibility study.

The Pentagon states that approximately \$915 million is currently spread throughout the budget for compliance activities. This figure, DOD acknowledges, only covers requirements for class I compliance—those of the highest priority—and does not fund class II or III. These are not luxuries—without funding for class II, DOD knows that they will not meet compliance requirements next year. This makes DOD vulnerable to legal problems.

With the growing level of environmental laws, this could be one of the greatest, and least recognized, expenses facing the Federal Government. A recent Congressional Budget Office report on Federal facilities estimates that DOD's activities on behalf of just one law alone, CERCLA—Superfund, will cost between \$10 and \$17 billion.

Compliance covers both short- and long-term activities required for the DOD to meet the environmental standards set by law and regulation—including the cost of preparing to be in future compliance. Cost categories include operational compliance, that is, monitor soil and ground water at sites; corrective action, that is, upgrade waste treatment facilities; investigation and cleanup that is, remove and treat contaminated ground water; and R&D, that is, design radioactive waste immobilization technology. Estimated of DOD compliance activities are very preliminary, but will be in the billions—approximately \$5 billion over the next 4-5 years.

Basic research activities are critical for long-term efforts at cleaning up these sites and preventing future pollution. The Defense Environmental Restoration Program annual report states that DOD invested about \$27 million in its Research, Development and Demonstration [RD&D] Program in fiscal year 1989, \$13 million of which came from DERA's "Other Hazardous Waste Program." The remaining funds came from the services' own research and development [R&D] efforts. Since R&D is seen as the background work needed for future cleanup efforts, this is an investment in the future. DOD estimates that approximately \$41 million is in the fiscal year 1991 budget request for services R&D. This bill will double that amount, making R&D funding at a level closer to 10 percent of the overall environmental account.

This legislation should help the Pentagon move faster. Many tasks remain, obviously. The Pentagon has not identified, for example, the cost and compliance issues involved in cleaning up military bases overseas. Federal estimates of the total cost of DOD's environmental activities, which currently range from \$15 to \$40 billion, may need to be reassessed as more is learned about the work required at the DOD Federal facilities.

Mr. Speaker, the Pentagon must move more quickly to clean up the pollution at our military bases. This bill will help them do just that.

ODYSSEY OF THE MIND: CULTIVATING THE CREATIVITY OF OUR STUDENTS

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. MAZZOLI. Mr. Speaker, I rise today to recognize a very important program designed to challenge the creativity of our students: the Odyssey of the Mind competition.

The program's mission is to promote analytical thinking through complex problem solving. Odyssey of the Mind tests the students' ability to reason and problem-solve in mathematics, science, social studies, and the language arts.

Students solve the problems together in teams, instilling self-confidence in each student as well as pride in team accomplishment.

Team competition begins at the regional level and proceeds through State competition into the national finals. The program has become successful internationally and students from the Soviet Union, Mexico, China, and Japan now participate in Odyssey of the Mind competitions.

For the 1990 Odyssey of the Mind competition, the Whitney M. Young Elementary School of Louisville was one of 14 teams that won the Kentucky State competition and advanced to the world finals in Ames, IA.

The team's coaches were Claire Drucker and Brender Luster, and the students who traveled to Ames include Mary Browning, Timothy Learn, Jessica Bressler, Jason Hurt, Benjamin Fryar, Joshua deGeorge, and Alan Stilts.

While the Whitney Young team did not win first prize at Ames, it won first prize with the Louisville community and with me when I visited the team at school on the eve of their trip. They were a very enthusiastic and talented bunch of youngsters who are definitely on their way to exercising leadership in our community and in this Nation in the years ahead.

LEGISLATION SAFEGUARDS TRADITIONAL STATE CONTROL OF WATER RESOURCES

HON. RICHARD H. STALLINGS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. STALLINGS. Mr. Speaker, I am pleased to join with the other members of the Idaho congressional delegation today in introducing legislation to address the serious problems arising from the recent decision of the U.S. Supreme Court in California versus FERC.

Last month, the Supreme Court ruled that the Federal Government had authority to supersede State regulations governing streamflow and water allocations. I was deeply disturbed and disappointed with the court's decision. It threatens a century-old standard of State water control and poses a serious risk to future management of our rivers and streams.

I will fight vigorous this latest attack on the State of Idaho and am very pleased to join

with my Idaho colleagues in condemning this Federal interference. This bill will clarify the Federal Power Act to ensure that States have no diminished decisionmaking authority when it comes to water allocation decisions.

Specifically, the legislation would amend sections 9 and 27 of the Federal Power Act to clarify that an applicant for a license must comply with all procedural and substantive requirements of State law in acquiring water rights and in the administration of the use of water.

In Idaho, we have taken great care to ensure that our limited supplies of water are managed to meet the many competing needs of our citizens. As a result of conflicts over allocation of water resources in Idaho, the State has embarked on the preparation of a comprehensive State water plan for all of its rivers and streams and the adjudication of all water rights in the Snake River basin.

Through these two efforts, the State hopes to settle the conflicts that have arisen over the use of water in Idaho. In one decision, however, the Supreme Court threatens to undo the gains the State of Idaho is making in the effective and sound management of its water resources.

In our State, water is scarce. We must carefully allocate the water among the many uses. This is done through a water rights system known as the prior appropriation doctrine. The essence of this doctrine is that the first person who puts water to beneficial use has the first right.

In deciding who will be permitted to use water, the State balances each proposed use against the existing and potential future uses. In addition, the State takes into account the local public interest, which includes consideration of the impact of a particular use on water quality, fish and wildlife, and other resources.

In California versus FERC, the Supreme Court suggests that licensees under the Federal Power Act may be exempt from the State of Idaho water rights law. If this is true, the water right laws of Idaho would be rendered meaningless. Two systems of water law would reign side-by-side, neither one of which would be effective in taking into account the impacts arising from uses authorized by the other sovereign.

The problem is not unique to Idaho. Every State in the Union joined in support of California before the Supreme Court in California versus FERC. At the heart of the controversy is the historical right of each State to regulate water in a manner that meets the needs of its citizens.

What we are proposing today in our legislation is not a change in the Federal Power Act, but rather an amendment that will achieve what we believe to be the original objective of the act. This bill will remove any ambiguity created by the Supreme Court decision regarding the double licensing requirements originally intended by the Federal Power Act. It is consistent with Congress' traditional deference to State water law and the principles of cooperative federalism.

The Snake River serves as the lifeblood of Idaho's economy and quality of life. Irrigation, energy production, fish and wildlife, recreation, and other uses all benefit from effective stew-

ardship of our water resources. Idaho is very fortunate to have in place a State water plan which serves as a guiding document in water resource management decisions. It has served us well over the years.

In order to maintain State authority, however, we cannot afford to give the Federal Government or out-of-State interests an opportunity to interfere with State decisions on water allocation and stream flows. This legislation reverses the effect of the high court ruling and safeguards historic State control over our water resources.

Mr. Speaker, I urge my colleagues to cosponsor this critical bill, and I look forward to its consideration by the House.

IMPORTANT HEARINGS IN NEW YORK CITY ON PUERTO RICO PLEBISCITE

HON. JAIME B. FUSTER

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. FUSTER. Mr. Speaker, a most important hearing by the House Subcommittee on Insular and International Affairs took place in the Spanish Harlem sector of New York City on Monday, June 25. It was held there to accommodate the many representatives of mainland Puerto Rican communities who had asked for input into pending legislation is the House and Senate which would authorize a political status plebiscite in Puerto Rico next year between the options of statehood, independence, and an enhancement of the existing commonwealth status.

This New York City hearing was very capably chaired by my colleague from New Mexico, BILL RICHARDSON, sitting in for our subcommittee chairman, RON DE LUGO, who was still in Bethesda Naval Hospital, recovering from a recent illness. As a member of the subcommittee, I was glad to be there, along with members of the New York City delegation, my distinguished colleagues CHARLIE RANGEL, BILL GREEN, TED WEISS, and JOSÉ SERRANO, as we explored the role of mainland Puerto Ricans in any future exercise of self-determination in legislation pending in the Congress.

The significant interest in this issue can be seen, Mr. Speaker, by the large number of witnesses—about 50—who testified at last Monday's hearing and who represented the civic, commercial, labor, academic, religious, and political leadership of the mainland Puerto Rican community. They came not only from New York City but also from upstate New York, Philadelphia, Chicago, Connecticut, and New Jersey. The extraordinary range of people who testified constitute the front lines of the Puerto Rican community on the mainland.

They represented both Democratic and Republican viewpoints, not to mention the positions of the three status formulas in Puerto Rico itself; the interesting thing is that they all had one thing in common—that for the plebiscite to be a meaningful exercise in self-determination the results must be binding. That is,

Congress must be committed to honor the results of the plebiscite.

Moreover, Mr. Speaker, there is a consensus that any decision made on the ultimate political status of Puerto Rico must be made by Puerto Ricans themselves without any pressure or intervention by the White House or the Congress. In no case should the Federal establishment show preferences in the plebiscite process. Also it was reiterated at the New York hearings that under any of the three status options, it must be made clear that the Spanish language, culture, and heritage of the Puerto Rican people cannot be compromised or jeopardized.

Finally, Mr. Speaker, it became obvious at the New York City hearings that the right to participate in the plebiscite should be extended to all Puerto Ricans, not only those in Puerto Rico itself but also those mainland Puerto Ricans born on the island or the children or parents born in Puerto Rico. There is a common vision that the people of Puerto Rico are one people, that their homeland is Puerto Rico, that they are Puerto Ricans first, and that Puerto Ricans constitute a cultural nationality—not merely an ethnic minority within a pluralistic society.

I hope this vision will be taken seriously and be taken into account as Congress moves to consider the plebiscite bill, Mr. Speaker. The mainland Puerto Rican community is a large one, and efforts are being made by those at the New York hearings to contact their Congressman throughout the United States about this issue. I am sure we will be hearing more about this issue as this year continues in Congress, and I hope my colleagues will focus more clearly on the matter of Puerto Rico's ultimate political status.

THE BRADY BILL

HON. PORTER J. GOSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. GOSS. Mr. Speaker, on the morning of March 30, 1990, a Russian emigre living in Fort Myers, FL, purchased a .38 caliber Taurus revolver. That night he called his wife and two daughters into the dining room—a family he had spent years trying to reunite—sat them down at the table and began shooting. When the bullets stopped flying the man's wife and one daughter were dead. The second child escaped with serious injuries, including a bullet in one eye.

In April, a Lee County, FL, man suffering from deep depression about an illness purchased a .22 caliber pistol. Within the next few days, he killed himself with a gunshot to his head.

In May, a Sarasota, FL, man shot and killed his estranged wife during a meeting about selling the couple's furniture as part of a divorce proceeding. The gun, a Taurus .38 caliber five-shot revolver, was purchased the day before the shooting.

And very recently, a Venice, FL, couple died in a murder-suicide, a tragic incident that began when a distraught man went to a neighbor asking where he could buy a gun.

Not long afterward, the man shot his wife and then turned the gun onto himself.

I could go on. After a survey of the local law enforcement officials in my district, I found that deadly crimes of passion are occurring at an alarming rate in our communities.

In fact, such tragic incidents are happening across the country. In fits of depression, uncontrollable rage, and mental instability people are buying guns with the intent to kill.

By requiring a 7-day waiting period—or cooling off period—for the purchase of a handgun, H.R. 467 has the potential to save lives. A week's lag time between the time of attempted purchase and the time when a gun was available to any of the would-be killers in southwest Florida might have meant the difference between life and death.

James Brady, a former White House Press Secretary for whom this legislation has been named, is one of the luckier victims of tragic shootings involving a gun hastily purchased by an unstable person. When John Hinckley went to purchase that gun with the crazed notion of killing President Ronald Reagan, he was able to lie on the registration form and walk out with a handgun the very same day.

By implementing a national 7-day waiting period, the Brady bill provides much-needed consistency for States and localities seeking to prevent violent crime. Although a background check is not mandated by this bill, its provisions give local law enforcement a window of opportunity to conduct their own investigations to ensure that criminals, the mentally ill, minors, illegal aliens, and drug addicts are not able to obtain handguns.

Twenty-two States have already passed waiting period laws for the purchase of handguns, as have many counties and municipalities. Because the reasons for owning a gun in an urban environment often differ from the purposes behind gun ownership in a more rural area, logically gun control should best be emphasized at the State and local levels. However, I support the Brady bill because it offers consistency for the entire Nation.

I continue to believe that the experienced criminal will find ways to obtain firearms in spite of such important legislation as the Brady bill. We must ensure that such criminals are severely punished for their actions—that they know that committing a violent crime with a gun means they will do time.

Honest, law-abiding citizens have a right to own guns for hunting, recreational sporting purposes, and personal security. The Brady bill—H.R. 467—does not infringe upon that important right. This legislation does not apply to rifles or other firearms used for sporting purposes—it applies exclusively to handguns. In addition, the Brady bill is not a national gun registration law—as a matter of fact it requires that applications of individuals whose gun purchases have been approved be destroyed by law enforcement officials within 30 days.

By allowing time for a simple background check to ensure that only law-abiding, mentally competent citizens have legal access to handguns—and by providing a buffer for highly emotional people to get control of themselves before a tragedy happens, the bill simply offers individuals greater protection.

A local newspaper editorial in my district said it well: "How many times have all of us

read stories in the newspaper about basically normal, rational thinking people who, because of a tragedy or an emotional blow in their lives, lose it mentally, go out and buy a gun and kill a neighbor or loved one?"

The answer is "too many." As one of the Brady bill's 150 cosponsors, I urge this House to move quickly and get this legislation passed.

NATIONAL COUNTY GOVERNMENT WEEK

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. ERDREICH. Mr. Speaker, today I am introducing a joint resolution designating April 7 through April 13, 1991, as "National County Government Week."

County government has become increasingly important in most States as a provider of areawide and local municipal services. In addition to running the jails, the courts, the elections, and collecting the taxes, counties have become the governments of last resort in providing services for the poor, the homeless, and disadvantaged citizens. My home district of Jefferson County is a perfect example of what is happening all over the country in terms of the services provided by county governments. In 1982, the budget was around \$100 million. It is now \$220 million, \$40 million of which is devoted to providing health care to low-income patients of the county hospital.

In promoting greater economic development, Jefferson County has joined with the city of Birmingham and other municipalities to help existing businesses and to attract new ventures. The city of Birmingham and Jefferson County together built a civic center and a flagship hotel. The county has also been instrumental in developing a new research park and also provides low-interest loans to small businesses thus helping to create jobs.

What is happening in my home county is happening all over the country. The phenomenal growth in services provided by counties is evidenced by the corresponding increase in county expenditures. Counties spent almost \$103 billion last year compared to only \$13 billion in 1970. Likewise, over 1.9 million people are now employed in county government nationwide. Certainly, each of you has felt the growing influence of county government in your district.

I am sure you are aware that many Members of Congress served in county government at one time in their careers. In fact, 74 Representatives are former county officials. Another 13 Senators also served in county government. I myself served for 8 years as a county commissioner in Jefferson County, AL, and have witnessed the dedication and effectiveness of those who work in county government.

In light of the tremendous contributions made by county governments nationwide, I believe it is appropriate that we designate April 7 through April 13 as "National County Government Week." I urge my colleagues to support this joint resolution.

THE BUSH PLAN FOR LATIN AMERICA

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. LaFALCE. Mr. Speaker, yesterday, President Bush made an important contribution to the future prospects for economic growth in Latin America through new proposals for increased U.S. trade, investment, and debt relief.

I want to particularly commend the President for including, for the first time, official debt relief and an increased role for the Inter-American Development Bank as important ingredients in his plan.

While it has been overshadowed by the more dramatic changes in Central Europe, many nations of Central and South America have made significant advances in reforming of their economies as well as political systems. Like the former Soviet satellites, many of these Latin nations have recently shed themselves of totalitarian governments in favor of democracies. Now, they are liberalizing trade, privatizing state-owned enterprises, and taking the tough steps necessary to tame inflation and capital flight. Of course, their problems are severe and deeply rooted, and no government will be able to turn its nation's economy around overnight.

Nonetheless, as these nations make the necessary domestic changes, many are still being crushed by a huge burden of debt—both commercial and official. This stubborn problem forces these nations to send hard-earned foreign currency abroad in the form of debt and debt service payments, instead of investing in needed technology, infrastructure improvements, education, and other important purposes.

It became clear to many of us in the Congress several years ago that we could not expect a turnaround in this region until these nations were given substantial and meaningful debt relief, tied to economic reforms.

As a result, we have urged the President to take a lead role in developing a framework in which commercial banks would offer debt relief, while securing the remaining claims. Last March, the administration responded with the Brady plan to try to achieve this goal.

Since then, three commercial debt workouts have been negotiated. We are hopeful that the amount of debt relief provided will be adequate to help restore economic growth.

Debt relief can take many forms. I have been interested for some time in the idea of debt-for-environment swaps in which debt could be paid in local currency which would then be devoted to conservation or environmental cleanup. I have offered such a proposal as part of the legislation authorizing U.S. participation in the new European Bank for Reconstruction and Development. The new bank should work together with the World Bank and IDB to make such swaps routine in Central Europe, Latin America, and elsewhere.

Now, the President has gone further. He has offered to negotiate forgiveness of debts these countries owe to the U.S. Government.

This is a significant development that deserves congressional support. Further, I am hopeful that this important decision by Mr. Bush will serve to unlock additional concessions from the commercial banks, who must contribute their fair share to the resolution of this problem.

For many small countries, particularly in Central America, official debt makes up the bulk of foreign debt. In these cases, a Brady plan deal, though helpful, would not really alter the outflows of scarce capital. However, forgiving or reducing official debt, as President Bush now supports, can clearly free up significant resources for investment within these nations.

I am also very pleased that the President has specifically asked for an increased role for the Inter-American Development Bank (IDB) both in quickening the pace of economic reform in the region, and as a more active partner in working toward more comprehensive commercial debt reductions.

The most recent IDB reauthorization bill passed by the Congress included an amendment, which I authored, directing our Government to negotiate with the other shareholders of the IDB to determine ways in which the additional resources raised by the bank could be used for debt and debt service reduction. I am glad to see that President Bush has decided to bring this to fruition.

In light of our enormous trade deficits and the growing economic competition we face from Asia and Europe, it is increasingly important that we find markets for U.S. exports. A growing Latin America can be such a market. The steps President Bush announced yesterday can be an important step toward the goal of a prosperous and democratic Western Hemisphere.

**COME TO BARING AND SEE
YOUR FRIENDS**

HON. HAROLD L. VOLKMER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. VOLKMER. Mr. Speaker, it is with great pleasure that I rise today to honor a great community in my district as they prepare to celebrate their 100th year of existence. Baring, MO, in Knox County in my congressional district has adopted the slogan "Come See Your Friends" and this certainly is an opportune time for everyone to come back to Baring to see your friends as they celebrate their centennial on July 7, 1990.

Baring is one of those many towns that sprang up with the development of the railroad. When the Atchinson, Topeka & Santa Fe Railway started laying track in 1887 things changed very quickly in the community. The first train ran on January 1, 1888, which in turn brought the need for communication, so the first postoffice was established. How Baring was named is still a mystery, however, there are two stories. The first was that a bank in London, Baring Brothers lent large amounts of money to the railroad, the other that two brothers named Baring owned a commissary car which travelled with the railroad and sold to the working man.

Baring boasted many businesses at the turn of the century, including lumberyards, grocery stores, hotels, stables, banks, and hardware stores. There were also public schools for first through twelfth grades, two churches, and of course, the depot.

The depot was a very busy area as people from great distances traveled to bring their livestock for shipment. As Baring has always supported a community of hard working people, area businessmen got together and decided the people of the area needed some relaxation on holidays and Sunday. This dream became a reality with the purchase of the railroad reservoir and the building of the Baring Country Club. This came about when the railroad changed from steam engine to coal. Today, the Baring Country Club is still in existence with boating, fishing, skiing, and swimming.

Baring has experienced hard times as well, especially with major fires in 1911 and 1915. The love of their small towns the depression for bigger towns and cities.

After the war, however, Baring experienced a time of growth during the 50's and 60's. Baring has won several awards for the improvements that were made. In recent years the city has updated its waterplant, built a water tower as well as improved the overall system.

Through good times and bad, Baring has prospered because of its people, always willing to help others through rough times and celebrating through good like to add my congratulations to Baring on this great day and say as they say, "come to Baring and see your friends." I certainly plan to be there.

**UNCLE SAM IS PART OF HEALTH
CARE COST PROBLEM**

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. DANNEMEYER. Mr. Speaker, I urge my colleagues to read the attached article from the June 26 edition of the Wall Street Journal. It illustrates how the increase in governmental regulation has affected a small hospital in northern California over the last 24 years. This hospital treats the same number of patients today as it did in 1966, but, thanks to the proliferation of Federal regulations, requires hundreds of additional workers to handle all the paperwork generated by these regulations.

As this article makes clear, increases in the size of the Federal health care bureaucracy require hospitals and other health care entities to expand their staffs as well. When we examine ways to control the cost of health care, we must look first to the effect that Federal policies have had on the cost of that care. We should begin from the assumption that Uncle Sam is part of the problem.

**ONE HOSPITAL TELLS THE COST OF
REGULATION**

(By Sidney Marchasin)

The groans you hear coming from your local hospital are not all emanating from patients. They're the protests of nurses, hospital personnel and physicians who are forced to live with a hodgepodge of expen-

sive, contradictory and confusing bureaucratic regulations.

The federal government must be held responsible for many of the basic costs that now confound the health-care industry. Legislators, official commissions and bureaucrats in Washington document deficiencies in our health-care system, point out the need for corrective action, and then invoke all sorts of rules, regulations and paper work.

What are the total national costs attributable to regulating the hospital industry? Nobody knows for sure. But the experience at Sequoia Hospital, a 430-bed not-for-profit, general hospital in the San Francisco Bay area, may provide some insights. The price tag for dealing with various regulatory bodies and government mandated paper work at my institution is approximately \$7.8 million annually.

The change in the U.S. government's attitude—and the resultant burden on hospitals—is reflected in changes at Sequoia. The average number of inpatients today is the same as it was in 1966. The staff is about 175% the size it was then. Some of the rise is because the number of outpatients has grown. Some of it is because patients need more intense care than they did then—the hospitalized are sicker because government regulations prohibit admitting many patients at the point they used to enter the hospital. Much of it, though, is due to new requirements of government.

To comply with the string of regulations and government directives requires a staff of 140 full-time employees. Not included in this count is the vast number of hours physicians devote helping the institution comply with mandated government audits and utilization review programs.

The federal government insists that medical care be continually assessed and audited for quality and appropriateness. At Sequoia, four full-time employees and one part-timer spend all their time reviewing patient records. Nine or 10 employees appraise the appropriateness of hospitalization.

The Federal Peer Review Act mandates that all hospital work paid for by the government be reviewed by an independent agency under contract to the Health Care Finance Administration. Providing duplicate hospital records, lab reports, X-ray data and billing information to outside "peer review agencies" is an enormous task requiring 20 additional staffers. As for Medicare funds, to get those the hospital must undergo a third audit, by the Joint Commission on Accreditation of Health Care Organizations.

Each auditing agency issues directives, generating multiple forms that must be filled out by nurses, hospital pharmacists, record-room personnel and doctors. To lighten the paper-work load for practicing physicians, the hospital has added four people to its medical staff office. The government forms require formatting by three data processors. Paper work also eats away at nurses' time.

If Sequoia's experience is typical—and there's no reason to suspect it is not—healthcare regulatory costs' nationwide measure in the billions of dollars.

When allocations are scarce, available resources should be spent in wisdom, not in folly. Excessive regulatory activity has not only failed to produce a health-care system to carry us into the next century; it has weakened what we already have. In the exhilaration of forging a new health-care system, the government has put providers into a regulatory straitjacket. Only a radical

restructuring of all these rules and regulations will bring order out of the present chaos.

The best way to start solving the health-care cost crisis is to suggest that many of the government's regulators resign en masse, and then accept these resignations so fast they don't even have time to hit the table. The patients would not lose much of value. And I would surmise that people would be much happier knowing their taxes were being spent on older peoples' medical needs rather than on a massive government bureaucracy.

Am I suggesting that Uncle Sam relinquish all oversight activities? Not at all. Oversight is not a dirty word, and every effort should be made to conduct a review of medical practice on a rational basis. The question is not whether Medicare needs oversight, but the kind of oversight that is appropriate. Uncle Sam has not been the solution to soaring medical costs; he has been part of the problem.

SAME HOSPITAL, BIGGER STAFF—SEQUOIA HOSPITAL

	1966	1990
Average number of inpatients per day	250	250
Staff:		
Business office and accounting	26	70
Admitting and outpatient registration	13	18
Utilization review	0	10
Social services	0	9
Medical records	17	41
Quality assurance	0	5
Data processing	0	9
Medical staff office	0	4
Administration	4	9
Nurses	374	533
Maintenance	16	28
Total	448	734

Note: Sequoia serves roughly the same number of inpatients it did in 1966. It serves more outpatients now. But more nurses are needed in general because patients these days are sicker and government paperwork takes nurses' time. Sequoia estimates that Medicare and other government programs mean it has to hire 35 more nurses than it would otherwise need.

Numbers may not compute because of rounding.

Source: Sequoia Hospital, Redwood City, Calif.

CLEAN AIR: THE FUTURE TO HOUSTON'S ECONOMY

HON. MICHAEL A. ANDREWS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. ANDREWS. Mr. Speaker, Houston's economic future was significantly affected when the U.S. House of Representatives overwhelmingly passed the Clean Air Act recently.

The act is a tremendous step toward ridding Harris County of the ugly brown smog hanging over us and repealing prospective industries from settling here.

Clean air is vital to attracting new businesses. An area's quality of life is a top criteria when new companies look for new sites, and few will want to call Houston home if our air quality gets worse.

Harris County has worked hard to clean our air since the 1970's. Through largely voluntary measures, we have reduced pollutants like carbon monoxide and upgraded monitoring to get a better handle on size of the problem.

But even with those efforts, our pollution ranks as one of the worst in the country. Studies show us with the fourth worst ozone pollu-

tion problem behind cities like Los Angeles, New York, and Chicago.

Just consider that smog is mostly ozone. In the last 10 years, Houston exceeded Environmental Protection Agency standards for ozone pollution 537 times. That's over a year and a half of days of breathing dangerously dirty air.

That's why the Clean Air Act's alternative fuels and tailpipe emission standards are so important to us. Half of our smog comes from cars, trucks, and buses. Harris County has one of the largest fleet vehicle and van pool programs in the country, which causes a lot of this smog. Tightening emissions standards for these vehicles will reduce our pollution and begin improving our air.

But to really clean our air, we need a long-term alternative fuels program. We now have the technology to run vehicles on clean-burning alternative fuels—like natural gas—and cut smog-forming emissions by over half.

To get these alternative fuel vehicles on the road as soon as possible, the Clean Air Act phases-in an alternative fuel vehicles program for fleets by 2000. A recent study shows that a strong program switching fleet vehicles to natural gas—such as the one passed by the House—would remove enough pollution each year to fill 12 Astrodomes.

Not only will such fuels reduce our smog, but they will create jobs and new businesses here and across our State. By one estimate, significantly increasing the use of natural gas will create 15,000 jobs for Texans.

We'll also benefit from the energy security that alternative fuels provide. The U.S. currently imports over 50 percent of its oil, while we in Texas have plenty of natural gas. Natural gas is cleaner, cheaper, and more domestically abundant than other fuels.

Alternative fuels are simply a no lose proposition for Harris County. Without this act—and especially without a strong clean fuels program—Houston would be condemned to dirty air.

ENVIRONMENTAL CONSCIOUSNESS OF A THOUGHTFUL CONSTITUENT

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. MURTHA. Mr. Speaker, thank you for letting me speak today on a project which is very important to me and the residents of Westmoreland County, PA.

Language was included in the fiscal year 1991 Appropriations Subcommittee on VA, HUD, and Independent Agencies' report, stating "Finally, the Committee recognizes the importance of the trash clean up project in Hempfield Township, PA. Although the Federal Government is not in a position to fund these types of projects, we strongly support the concept of cleaning our roadways and restoring their natural beauty."

I wanted to take this opportunity to explain what is happening in Hempfield Township, PA. The project started last spring during the 11th annual "Keep Pennsylvania Beautiful Day" sponsored by our State department of trans-

portation. Numerous residents, led by Mrs. Sue Wiseman, joined forces to rid their community of litter, especially trash nearby the residents' homes in an area which became somewhat of a dumping ground.

The group has been successful in many cases at identifying the culprits of the illegal dumping and the dumpers have been fined and/or forced to remove the trash. In cases whereby the parties could not be identified, the individual residents of Hempfield Township have taken it upon themselves to remove and sometimes recycle the dumped trash. The garbage has included glass, cans, bottles, aluminum, clothes, curtains, pillows, tires, old carpeting, scrap wood, mattresses, broken furniture, refrigerator parts, and much more.

Mrs. Wiseman is currently in the process of organizing a nonprofit organization in the area called Cleanway to deal with their litter problems.

They are rounding up volunteers who want to help keep their neighborhoods beautiful. The group will also be looking at long-term solutions to their trash dumping problems. Mrs. Wiseman is concerned with the aesthetic and environmental impact garbage has on a community. She and her group are focusing on public education and public awareness activities.

I wholeheartedly commend Mrs. Sue Wiseman and her group for their innovative efforts, and determination to make our community a better place for our children to live. She has faced an uphill battle, and will probably continue to face adversity. I am confident, however, her determination and dedication to this project will enable her to prevail in the rebeautification of our rural roadways.

I am very proud to be able to represent Mrs. Sue Wiseman and hope others who learn of her project will follow her lead in keeping our community a safer and cleaner place to live.

TECHNOLOGY AND COMPETITIVENESS

HON. TIM VALENTINE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. VALENTINE. Mr. Speaker, the Committee on Science, Space, and Technology recently reported the bill, H.R. 4329, the American Technology Preeminence Act of 1990. While recognizing the primary responsibility of the private sector in the commercializing of technology, the committee is convinced that comprehensive national technology policy is urgently needed. The solutions to American competitiveness extend far beyond appropriate levels for Government research and development, measures which were once thought to be sufficient. The urgency of this legislation is highlighted by a recent joint publication of the Japan Society and the Council on Competitiveness, entitled "Technology and Competitiveness: New Frontiers for the United States and Japan."

As Technology and Competitiveness emphatically states, the rules of the game for technological innovation have changed. "Imagine," the authors state,

A customer in Boise, Idaho decides to purchase a customized pager—with its own radio frequencies and features. Seventeen minutes after his special order is placed, an automated bar-code reader begins scanning a blank circuit board in Motorola's state-of-the-art pager factory in Boynton Beach, Florida. The bar code contains all the information the factory needs to make the pager. As the board travels down the assembly line, each robot reads the bar code and executes the instructions. Two hours later, the pager is complete—ready to be shipped overnight to the customer in Boise. The user can expect less than one failure in 100 product-years of use.

Halfway around the world, in a forest at the foot of Mt. Fuji, a factory uses Fanuc robots and machine tools to make more Fanuc robots and machine tools. In vast rooms filled with machines but almost no people, computerized equipment checks the quality of incoming components, machines new parts and tests them. Unmanned carriers move parts to and from the automated warehouses. Automated machine tools fed by robots grind out parts all night with only a night watchman on-site. Banners overhead proclaim: "People can work normal hours because the robots and machines work overtime."

These are the new frontiers of technology. According to Technology and Competitiveness, there are two models to describe how science and technology contributes to commercial competitiveness. These models for innovation are the "ladder" process and the "cyclic-development" process.

In the ladder process a breakthrough in basic research leads to a new technology. For example, 40 years ago the discovery of the structure of the atom led first to the atomic bomb and eventually, through a long development process, to today's nuclear power industry. The United States has dominated the science-driven phase of this process, yet other countries have been more successful in harnessing its technological and commercial benefits.

The cyclic-development process, on the other hand, emphasizes making steady, incremental improvements in existing products and processes. Japan, since World War II, has been the acknowledged master of the cyclic-development process, and one of the hallmarks of this success is its \$50 billion trade surplus with the U.S. The examples of the Motorola and Fanuc factories show how technology is developed by today's economic superpowers. Although there are a number of world-class American manufacturers, too few U.S. companies can compete in the new high technology arena. In order to reduce our trade deficit with Japan, we must learn to play by the new rules, and we must learn quickly.

The authors of Technology and Competitiveness have identified six skills that are common to a mastery of the cyclic-development process. The first skill is speed. In the marketplace of today the race goes to the swift. The company who can bring a product successfully to market before its competitors has a headstart on the cycle of development for the next phase, and over a few years can capture a commanding lead over its competitors.

Teamwork is the second essential skill. Close ties between the manufacturing and de-

velopment process can shorten the cycle as well as raise quality and reduce costs. The process by which designers simply hand an idea to manufacturers who are responsible for making a product is costly and time-consuming, and can no longer support technological leadership.

Simplicity, or starting with what is easy, is the third key skill. An example of this is the development of carbon fiber. While Europeans tried to introduce carbon fiber into their space program, the Japanese first used the material in golf clubs, tennis rackets, and fishing poles. The Japanese now control 60 percent of the market.

Total quality control is the fourth vital factor. It is often the difference between success and failure. One of the contributors to Technology and Competitiveness, Hajime Karatsu, professor of research and development at Tokai University in Japan, stated that:

Manufacturing is a battle against a million different possible breakdowns. It is a battle against errors, such as mistakes in planning schedules, incorrect design or an accidental mixture of materials other than the one originally arranged. Machines do not always work properly. Moreover, it is quite possible that factory workers will make mistakes. If these errors accumulate, the result will be a pile of defective goods.

We cannot predict where and how such errors will occur, however. Everyone in the factory must cooperate, looking for any potential problems and taking care of them in order to prevent future trouble. Basically, this is Japan's total quality control system.

The fifth key skill in mastery of the cyclic-development process is borrowing technology discovered elsewhere. There are only a few times during a development and production that new ideas can be absorbed, so trying to "push" a new idea into a company from the outside is rarely successful. The successful development and manufacturing team pulls new ideas into the process.

The sixth crucial skill in mastering the cyclic-development process is the practice of lifelong learning. The "half-life" of an engineer's knowledge is about 5 years. The challenge of continually reeducating and retraining employees is especially important for U.S. industry as our country faces a shortage of technically skilled workers.

Where do we stand in our ability to develop new technologies, as compared with Japan? According to the Japanese Ministry of International Trade and Industry [MITI], the United States lags behind Japan in the development of nearly all critical new technologies.

MITI ASSESSMENT OF U.S AND JAPANESE TECHNOLOGY

(Comparative Standing)

Technology	1983		1988	
	Level of technology	Technology development capability	Level of technology	Technology development capability
Data base	U.S.	U.S.	U.S.	U.S.
Semiconductor memory devices	Equal	Equal	Japan	Japan
Computers	U.S.	Equal	Equal	Equal
VCR's	Japan	Japan	Japan	Japan
D-PBX	U.S.	U.S.	Equal	Japan
Micro-processors	Equal	Equal	Equal	Japan
Laser printers	U.S.	Equal	Equal	Japan

MITI ASSESSMENT OF U.S AND JAPANESE TECHNOLOGY—Continued

(Comparative Standing)

Technology	1983		1988	
	Level of technology	Technology development capability	Level of technology	Technology development capability
Copy machines	Equal	Equal	Equal	Japan
Assembly robots	Equal	Japan	Equal	Japan
CAD/CAM	U.S.	Equal	Equal	Japan
Communications satellites	U.S.	Equal	Equal	Equal
Photovoltaics	Japan	Equal	Japan	Japan
Aircraft engines	U.S.	U.S.	U.S.	Equal
Skyscrapers	U.S.	U.S.	Equal	Equal
Advanced composite materials	U.S.	U.S.	Equal	Equal
Fine ceramics	Equal	Japan	Japan	Japan

Source: MITI, Trends and Future Tasks in Industrial Technology, 1988 White Paper.

This disturbing assessment underscores a new reality—that the United States can no longer rely on a lead in its level of technology to overcome shortfalls in its ability to develop new technology. Even more disturbing, there is no area where the United States has been able to recover or extend a lead over Japan. As policymakers, we cannot afford to ignore the evidence that our economic security is at risk.

Government policy alone cannot solve our competitiveness problems. However, Federal support for research and development on pre-competitive technologies, along with a redoubled effort to make R&D activities at Federal laboratories more relevant and accessible to the private sector, can help U.S. manufacturers increase the speed—the crucial first factor in the cyclic-development process—with which new technologies can be marketed. In addition, Government policies on issues such as education, cooperative research and development ventures, cost of capital for long-term investment, and intellectual property protection create an environment which either fosters or hinders investment in innovation and increased productivity. Mr. Speaker, the American Technology Preeminence Act of 1990 makes a significant contribution to providing just such a favorable environment to develop the new technologies which support our economy in the years to come.

ROSELLE PARK FIRST AID SQUAD 50TH ANNIVERSARY

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. RINALDO. Mr. Speaker, on June 2, 1990, the Roselle Park, NJ, First Aid Squad celebrated its 50th anniversary. Kicking off the celebration was a parade comprised of ambulance, rescue, and fire units from throughout the State. I was pleased to participate in marking this special event and would like to share with my colleagues my remarks made on that special occasion.

I want to congratulate all of the men and women, past and present, who are responsible for the success of the Roselle Park First Aid Squad. You've gone through good times and bad. But you persevered. You raised money, and obtained community support and volunteers from every part of the borough.

You've enlisted women and young people into your ranks. Few organizations are as uniquely an American institution as our first aid squads. You represent the spirit of neighbor helping neighbor.

You responded to over 1,000 calls for assistance. You were always there. And equally important to the citizens of Roselle Park was the knowledge—the certainty—that if there was an accident in their home, on the street, at school, or at work, the Roselle Park First Aid Squad would respond.

You have been one of this community's brightest points of light for 50 years. In appealing to Americans to volunteer for their communities, and for their country, President Bush said that any definition of a successful life must include serving others.

Well, the men and women who have served in the Roselle Park First Aid Squad during the last 50 years have met that standard and been a great success.

You are a special breed. Ready to give help to trauma victims; aid strangers on a highway; resuscitate someone having a heart attack; bind the wounds of the injured; and be compassionate and cool even under the most stressful circumstances when someone's life is on the line.

It's impossible to say how many lives you have saved that otherwise might have died. But each squad member who has been called out in the middle of the night on an emergency call should feel a tremendous satisfaction in doing good.

The roster of people who have served in the first aid squad is an honor roll of good citizens. I can't think of a higher tribute than to have your name inscribed alongside those people like William Perry, Fred Boyne, Sr., Joe lungerman, Ralph Scull, Jim Clark, Phil Preie, and Joseph Caffrey, and more recently, Rita Kliminski, your first female line officer, and Kathy Bonavita, your first woman president.

You have come a long way since that Studebaker ambulance 50 years ago rushed out to answer the first emergency call for help.

You're as much a part of the tradition of Roselle Park as Herm Shaw Field, the post office, and the high school.

So today, we salute you and thank you for all you've done to make Roselle Park a better place in which to live.

Thank you for inviting me, and congratulations once again to all of you. You exemplify the best in America.

JUNE IS TURKEY LOVERS' MONTH

HON. H. MARTIN LANCASTER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. LANCASTER. Mr. Speaker, as the month of June comes to a close, I wanted to

remind my colleagues that the National Turkey Federation has named this month as Turkey Lovers' Month. The turkey industry has joined together to support the first-ever June is Turkey Lovers' Month to celebrate the importance of the turkey industry to the agricultural community. There is also a need to create a public awareness of the rapid growth and changes now taking place in the turkey industry.

North Carolina now leads the Nation in the production of turkeys. Duplin County, which is part of my congressional district, raises over 12 million turkeys each year. This amounts to 20 percent of the State's production, and makes Duplin the largest turkey-producing county in the Nation. I am proud of the turkey industry and its phenomenal growth in my congressional district, and throughout North Carolina.

Turkey is, of course, the favorite entree for Thanksgiving dinner. But it has taken a giant leap off the holiday table to become a year round treat. Thirty years ago, 90 percent of the turkey consumed in this country was in the form of the whole bird, and during the last 2 months of the year. Today, only 17 percent of the turkey consumed is during the Thanksgiving and Christmas season.

Moreover, consumers have created a demand for convenient, low-fat turkey products throughout the year. Research shows that turkey is now consumed by over 41 percent of Americans at least once in a 2-week period. That is an increase of 63 percent from just 4 years ago. Last year, on average, each American ate 16.9 pounds of turkey.

With consumer demand growing for turkey during the summer months, June was a good month to celebrate Turkey Lovers' Month. At this time of the year, more than any other, consumers are looking for food that is delicious, light, nutritious, and above all, convenient. Turkey meets all those requirements. I urge my colleagues to join me this summer in honoring our turkey producers throughout the Nation.

THE VINCENT GARVEY FAMILY HONORED AS PENNSYLVANIA STATE FAMILY OF 1990

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to the Vincent Garvey Family of Hazleton, PA, who were selected as the Pennsylvania State Family for 1990 by the Pennsylvania State Council of the Knights of Columbus.

The award is presented to a family who has inspired their community, church, and council through their support and commitment to christian family life. At a time when this country is concerned with the erosion of traditional family values, it is especially heartening to recognize the contributions of a family like the Garveys.

An active member of the Knights of Columbus for 38 years, Vincent Garvey is a former district deputy of the 25th Pennsylvania Dis-

trict and a Past Faithful Navigator of Benedict XV Assembly. Currently, he is a member of the master's staff of the Fourth Pennsylvania District. He also serves as historian and presiding officer of the fourth degree team, and is a member of the first, second, and third degree teams.

Vincent Garvey and his wife, Dorothy Garvey, have three daughters and three sons. They are the proud grandparents of five grandchildren, two girls and three boys.

The backbone of this great country is the American family. Families are a constant source of love and support. In the day-to-day interaction with family members we learn the importance of cooperation, compromise and responsibility. Much of what we bring to the world is rooted in our family.

Mr. Speaker, distinguished colleagues, I ask that you join with me and the Members of the 11th Congressional District of northeastern Pennsylvania in saluting the Vincent Garvey family of Hazleton, PA. It is my hope that the example they have set will be repeated across this great land.

ROMANIA: HOPES AND DISAPPOINTMENTS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. HOYER. Mr. Speaker, the peaceful demonstrations in University Square represented an attempt by many who felt cut out of the political process in Romania to find a voice. Over the course of 7 weeks, they called for a return to the ideals of the December revolution: unity, tolerance, mutual respect, and the right to free expression and honest competition for public support of political views. The ideals that erupted in December bringing down the Ceausescu reign of terror have been cast aside by the Iliescu government.

It is true that the brutal legacy of Ceausescu poses a particularly difficult path for Romania to travel in order to achieve true political pluralism in which diversity is not merely tolerated but a means by which democracy is assured. Years of degradation of a nation's body and spirit surely cannot be overturned immediately. The revolution was the first step toward gaining freedom—more steps are necessary to build democracy.

The government of President Iliescu must use the great opportunity that lies before it to pave the way. At a minimum the Government must assure the safety of its citizens who seek the right to free expression and it must engage in a dialog with not just opposition groups but all of Romanian society. President Iliescu should seek ways to heal a nation ripped apart by years of deprivation and not use methods that further a dangerous polarization.

The Helsinki Commission is disappointed. But it is not dissuaded from continuing to voice its concerns on Romania's future. As it has said from the beginning silencing dissent does not bring an end to discontent. It merely delays its rupture.

VOTING AGAINST H.R. 5114

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. TAUKE. Mr. Speaker, it was with mixed emotions that I joined 116 of my colleagues yesterday in voting against H.R. 5114, the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991. I recognize that there are many valuable and important provisions in the bill that will further U.S. interests around the world. These include funding to promote American exports, aid to our allies in the Middle East—Israel and Egypt, and aid to the emerging democracies in Eastern Europe. However, I have received a loud and clear message from my constituents in Iowa regarding increased Federal spending. They have made a clarion call for restraint in all new Federal spending. The bill called for spending above and beyond what was requested by the President.

I have pledged to oppose appropriations bills that call for spending increases above the rate of inflation. While this measure had many merits, I had to apply the same standards as those I apply to all spending bills.

TRIBAL CATTLE HERD PILOT PROJECT**HON. TIM JOHNSON**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. JOHNSON of South Dakota. Mr. Speaker, today, I have introduced legislation known as the TRICAPP bill. The Tribal Cattle Herd Pilot project will establish a low-interest loan

program through the Bureau of Indian Affairs for cattle purchases by five Northern Great Plains Indian Tribes.

The 5-year pilot project would authorize the Cheyenne River Sioux, Crow Creek Sioux, Oglala Sioux, Fort Belknap, and the Northern Cheyenne to secure loan guarantees or direct loans to purchase cattle herds which will be used to reestablish and expand individual cattle operations run by tribal members who meet specific eligibility criteria. Many ranchers on Indian lands are land-rich and cash poor and my proposal is designed to address this problem. The Interior Committee has recommended \$500,000 to the Agriculture Subactivity. The BIA has already committed to \$15,000 in technical assistance for this initiative.

Mr. Speaker, I am responding to tribal requests for aid in reestablishing the cattle industry in Indian country. In fact, the TRICAPP bill incorporates much of qualities of the now defunct but successful BIA Revolving Cattle Program. The project includes a research and technical assistance component to be provided by South Dakota State University and Montana State University in order to improve individual and tribal cattle management and marketing.

THE NEED FOR CONGRESSIONAL OVERSIGHT OF U.S. TELECOMMUNICATION POLICY**HON. JAMES T. WALSH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. WALSH. Mr. Speaker, I am glad to have the opportunity to speak to you today about the need to coordinate our national telecommunications policy. During my 15 years of service at NYNEX, I witnessed the telecommuni-

cations industry transformation from a completely regulated monopoly to the aftermath of AT&T divestiture that established the seven regional holding companies commonly referred to as the "Baby Bells." The AT&T divestiture has been successful in some areas and a failure in other aspects but that's not the point. The point is that Congress has gradually given up its responsibility to deregulate the telecommunications industry since the enactment of the Communications Act of 1934. Congress did this through its legislative inaction and by allowing the Federal Judiciary to dominate the debate. As telecommunications technology advanced in quantum leaps and has information services and the need for those services expanded exponentially, the industry has been hamstrung by the judicial review process.

The U.S. telecommunications industry has lost its leadership role in the global marketplace. Dramatic evidence of the U.S. decline is apparent in recent U.S. trade figures. The U.S. trade balance has dropped dramatically from a \$275 million surplus in 1982, when the terms of the consent decree were announced to a \$2.6 billion deficit in 1988. These discouraging trends have convinced me that the time for Congress to address these shortfalls and to promote U.S. competitiveness is now.

In achieving a balanced national telecommunications policy Congress should assume its rightful jurisdiction, using the public interest standard for the furtherance of national telecommunications policy goals and objectives. Furthermore, Congress should shift the oversight of our national telecommunications policy to the Federal Communications Commission [FCC] where Congress will have the authority to monitor the FCC. I firmly believe that this approach is the most effective method of promoting and encouraging competitiveness and continued innovation in the U.S. telecommunications industry.

**THE VINCENT GARNETT FAMILY
HONORED AS PENNSYLVANIA
STATE FAMILY OF 1989****HON. PAUL E. KANJORSKI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. KANJORSKI. Mr. Speaker, I am today to pay tribute to the Vincent Garnett Family of Hershey, Pa. who were selected as the Pennsylvania State Family of 1989 by the Pennsylvania State Council of the Knights of Columbus.

The award is presented to a family who has made a significant contribution to the community and who has demonstrated a commitment to the values of the Knights of Columbus.

An active member of the Knights of Columbus for 30 years, Vincent Garnett is a former district deputy of the 32nd District.

JOHN H. MARTIN LANCASTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1990

Mr. LANCASTER. Mr. Speaker, I would like

to pay tribute to a family who has made a

significant contribution to the community and

who has demonstrated a commitment to the